

**FREEDOM OF INFORMATION
AND
PRIVACY ACTS**

**SUBJECT: ROBERT F. KENNEDY
ASSASSINATION**

**LA FILE NUMBER: 56-156
SUB FILE H VOLUME 6**



FEDERAL BUREAU OF INVESTIGATION

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U. S. Department of Justice

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FEDERAL BUREAU

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COMMITTEE ON ASSASSINATIONS
INVESTIGATION

Bureau File Number

DO NOT DESTROY
PENDING LITIGATION

129, 198, 167, 394, 210
279
277B

See also Nos.

X DO NOT DESTROY
HISTORICAL
NATIONAL ARCHIVES

Vol. 6

Serials
56-1564

NEWSPAPER CLIPPINGS
SER. 948

Ready, Room

251 pp

(Mount Clipping in Space Below)

County Supervisors Ward & Hahn To Visit Sirhan In Soledad

BY GREG ROBERTS

On what will almost be the ninth anniversary of the assassination of the late U.S. Senator Robert F. Kennedy at the Ambassador Hotel in Los Angeles, which occurred on June 5th, 1968, convicted RFK assassin Sirhan B. Sirhan is slated to be paid a visit in-person by L.A. County Supervisors Baxter Ward and Kenneth Hahn, at Soledad state prison, where Sirhan is incarcerated.

According to secretary Mrs. O.Z. Smith of Supervisor Kenneth Hahn's office, the joint Ward-Hahn visit and special interview of the alleged RFK assassin is expected to take place on Thursday, June 2nd, 1977, at 11:30 a.m.

"It's just my own personal opinion, but I wouldn't be surprised if he (Sirhan) wasn't able to make it to meet the supervisors, because I wouldn't be surprised if he was dead by then," Mrs. Smith had remarked, perhaps conveying a viewpoint on the subject of Sirhan the accused RFK killer, starting to talk factually and truthfully as best he can about the Bobby Kennedy murder, that could be on the minds of many people at this point.

Of course, on the other hand, if "they" do decide to do anything to harm Sirhan while he is in custody, that might trigger the mechanism which would really force authorities to begin to let the cat out of the bag, or at least initiate a real investigation of the Robert Kennedy assassination.

At the time RFK was killed, he had just claimed victory in the Calif. Democratic Presidential primary election contest of that day, whereby it was then possible for RFK to not only attain the Democratic Presidential nomination in Chicago in the summer of 1968, against the wishes of President Lyndon Johnson, but defeat Republican Richard ("Tricky Dick") Nixon and his corps of corrupt Water-gate-ers, in the 1968 general election.

(The assassination of Robert Kennedy should not be confused with that of President John F. Kennedy, who was killed while traveling in a motorcade while en route to a speaking engagement in Dallas, Texas, on Nov. 22nd, 1963.)

News of the proposed Sirhan Sirhan meeting with supervisors Ward and Hahn was first announced by Sirhan's lawyer, Atty. Godfrey Isaac of Beverly Hills, during the County Supervisors public meeting with the critics of the "lone assassin" version of the RFK assassination, last Tuesday afternoon, May 17th, 1977.

Following the presentation of the report of the L.A. Dist. Atty.'s special counsel on the RFK assassination which former special counsel Atty. Thomas Kranz presented to the County Supervisors on behalf of D.A. John Van de Kamp on April 5th, which predictably had characterized the RFK assassination as the work of a lone-assassin, the County Supervisors had offered the many RFK death probe critics "equal time" of sorts, which they accepted.

In addition to the brief appearance made by Atty. Godfrey Isaac, who came to the Board of Supervisors with Sirhan's mother, Mrs. Mary Sirhan, and Munir Sirhan, one of Sirhan's brothers, other critics of the D.A.'s handling of the RFK assassination investigation who spoke on May 17th were fellow RFK victim Paul Schrade, former New York Congressman Allard K. Lowenstein and wily Dr. Robert Joling, a past president of the American Academy of Forensic Sciences, a leading firearms and ballistic expert.

Whereas Paul Schrade, who had been wounded during the shooting, stated publicly that he felt the D.A. and special counsel Kranz had conducted a "very shoddy" investigation in connection with the probability that the RFK assassination team had been forced to use at least two guns, Al Lowenstein delivered an eloquent, and peppery, point-by-point refutation of the D.A.'s "lone-assassin" version.

(Indicate page, name of newspaper, city and state.)

P-3 HOLLYWOOD PRESS
HOLLYWOOD, CA

Date: 5/27/77

Edition:

Author: Greg Roberts

Editor: Paul C. Picard

Title: KENSALT

Character:

or

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Los Angeles

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As Lowenstein talked, and recounted the fact that the L.A. County Coroner Dr. Thomas Noguchi M.D., and Dr. Noguchi's staff had stated during the RFK autopsy that had been killed by a fatal head shot fired at point blank range, no more than an inch-and-a-half from RFK's right side, Dept. Dist. Atty. Dinko Bozanich and D.A.'s special investigator William R. Burnett Jr. sat quietly in the back of the board of Supervisors hearing room.

"Now we're told by Mr. Kranz that there was a 'lunge' on the part of Sirhan, and that is supposed to explain how this fatal shot which directly resulted in RFK's death," Lowenstein said.

"Yet, all of the eyewitness who were asked by the police, or by authorities either before or during the Sirhan trial, as to what they saw with regard to the distance between RFK and Sirhan, generally said that Sirhan never got closer than 3 feet to Kennedy at any time.

"None of them said that they saw Sirhan 'lunge' at Kennedy, and yet you (Kranz) have the gall to assert they even said that, and years after they never said there was a 'lunge' on Sirhan's part," Lowenstein continued.

Later, neither Dep. D.A. Bozanich, who is Van de Kamp's real deputy assigned to the RFK case, or Inves. Burnett would make any comments about what Lowenstein had said, and nor would the D.A.'s men venture any opinions about an explosive affidavit signed by former L.A. based FBI agent William A. Bailey, which Dr. Joling read into the record for the benefit of the county supervisors, and the cause of truth about the RFK assassination as a whole.

Although the LAPD was responsible for the RFK murder investigation, the FBI under the direction of former FBI Special Agent in Charge (SAC) Wesley G. Grapp, former FBI intelligence division supervisor William Nolan, senior RFK case agent Amade O. Richards Jr., and former FBI case agent Roger La Jeunesse, the FBI conducted a parallel RFK death probe, upon request U.S. Att. Gen. under the Civil Rights Act of 1968 and the Voting Rights Act of 1965, as stated in agent Richard's official report.

In an affidavit submitted to Atty. Vincent Bugliosi at Glassboro, New Jersey, on Nov. 14th, 1978, one of the many L.A. FBI office agents who had participated in the RFK death probe, former agent William Bailey told some of what Baldey knew about the death of RFK.

"On or about June 5-6, 1968, I, William A. Bailey, employed at that time as a special agent of the FBI (assigned to the Los Angeles office) was present in the preparation room of the Ambassador Hotel, approximately 4-6 hours after the attempt on Sen. Robert F. Kennedy's life. The (kitchen) pantry was referred to as the Preparation Room.

"At that time I was assigned to interview witnesses present at the time of the shooting.

I was also charged with the responsibility of recreating the circumstances under which same took place.

"This necessitated a careful examination of the entire room and its contents.

"At one point during these observations I (and several other agents) noted at least two small caliber bullet holes in the center post of the two doors leading from the Preparation Room. "There was no question in any of our minds as to the fact that they were bullet holes and were not caused by food carts or other equipment in the Preparation Room.

"I resigned from the FBI in Jan., 1971, and have been employed as an assistant Professor of Police Science at Gloucester County College, Sewell, New Jersey, since that time.

"The above statement is in my printing and was furnished freely and voluntarily to Mr. Vincent Bugliosi on Nov. 14th, 1978, at Glassboro State College, New Jersey," and the affidavit was in turned signed by former FBI Special Agent William A. Bailey.

After Dr. Joling had read the ex-FBI agent's sworn affidavit into the record, Supervisor Baxter Ward stated that he had been aware of the Bailey affidavit prior to Dr. Joling's having read it formally to the Board of Supervisors on May 17th, 1977.

"I would like to take this opportunity to inform my colleagues that we had telephoned agent Bailey at his office back in New Jersey, and we tape recorded the call with his permission, and the former agent did assert that the affidavit in question is wholly legitimate and truthful," Ward told the other supervisors present.

At this point, it should be noted that Sirhan had been apprehended while firing 8-shot .22 caliber pistol, and that the official version of the assassination specifically does not account for the recovery of any one or two (or more) bullets having been taken out of that center post of the two doors leading from the pantry, at the Ambassador Hotel, adjacent to the Embassy Room, where RFK had claimed victory.

Nor does the official LAPD version account for the so-called "ninth bullet" which was discovered by LAPD sergeants Robert Rozzi and Charles Wright, amongst other LAPD officers on June 5th, 1968, which was recovered from the doorframe of the door in the backstage.

Rozzi has been reported in the past. Sgt. Robert Rozzi told one-time Manson Family prosecutor Vincent T. Bugliosi in a Nov. 15th, 1975 sworn affidavit, that the object he and Sgt. Wright had observed several hours after the assassination was what "appeared to be a small caliber bullet lodged in the hole", and uniformed LAPD sergeants R. Rozzi and C. Wright were subsequently photographed by the Associated Press pointing to the bullet.

What is particularly significant about former FBI agent Bailey's sworn statement is that he is yet another official source attesting to the fact that there were at least two bullet recovered from the center divider in pantry doors of the Ambassador kitchen.

Curiously, photographic evidence of these two "Bailey bullets" was published in the old Art Kunkin-published L.A. Free Press beginning in May-June, 1969, when John Kennedy Assassination Truth Committee researchers Mrs. Lillian Castellano and Floyd B. Nelson published photographs which had been taken on the spot by John A. Clements as well as by A.P. photographer Wally Fong.

Once again the Clements photos had showed the two RFK assassination bullets recovered from the Ambassador kitchen pantry, which former FBI agents Bailey and Booth, and present-day FBI agent Robert Pickard and L.A. FBI Administrative Division supervisor Al. C. Greiner had seen on June 5th, 1968, whereas the Wally Fong photo of sergeant R. Rozzi and C. Wright hovering over the 9th bullet was recovered from the doorframe in the back of the stage).

Incidentally, the book "RFK Must Die", by Robert Blair Kaiser makes reference to the continuing FBI investigation of former agent Bailey, and fellow FBI agent Robert Pickard, now of the FBI's Santa Maria substation, by Kaiser's reconstruction of the FBI's intelligence investigation of the "woman in the polka dot dress", whom his LAPD had issued an All Points Bulletin (APB) for in connection with the assassination.

According to Kaiser, who had access to all of the FBI reports which had been made available to the L.A. Dist. Atty. and which were subsequently provided in xerox form to the Sirhan defense lawyers, present-day FBI supervisor Richard C. Burs, on June 7th, 1968, was busy interviewing Sandra Serrano, the witness who had said on national television on June 5th, 1968, that she had witnessed the "woman in the polka dot dress" immediately after the RFK assassination repeatedly exclaim while fleeing the Ambassador with at least one man, "We've shot him! We've shot him! We've shot Senator Kennedy!". Miss Serrano told NBC-TV's Sander Valbock,

Meanwhile, as for FBI agents Bailey and Pickard, author Bob Kaiser had continued, "But what had happened to the girl in polka dot dress?"

"And to her (male, Mexican-American, about 23-years-old) friend in the gold sweater?"

"Thomas Vincent DiPiero had seen a girl in a polka dot dress before the shooting, a fact that FBI agents Bailey and Pickard were confirming that very moment from DiPiero himself.

"We'll maybe, Miss Serrano wasn't as hysterical as Sander Vanocour reportedly believed", Kaiser had stated (paperback edition page 120).

Otherwise, in supplementing the written affidavit of former FBI Special Agent Bailey to the effect that he and his fellow FBI agents had seen the tenth and eleventh bullet holes in the center of the post of the two doors leading from the Preparation Room! it was in 1976 that FBI Director Kelley released a battery of FBI reports on the RFK assassination, in accordance with the Freedom of Information Act.

In addition to the hundreds of pages of often censored FBI reports on the RFK assassination, Director Kelley also released approximately 39 FBI photographs which had been taken at the RFK murder site by FBI photographers, under the supervision of FBI agent Al C. Greiner, now number 3 man in the L.A. graphic squad supervisor.

However, what then happened to these and other portions of the overall physical evidence and scene of the RFK assassination site at the Ambassador Hotel was that the LAPD's Scientific Investigation Division (SID) under the direction of LAPD Civilian supervisor DeWayne Woller, took control of these and other items, and carted off to Parker Center police headquarters, for standard ballistics and other examinations.

Suspiciously, as Asst. LAPD Chief Daryl Gates, the present-day most likely successor to Police Chief Ed Davis when he retires in Dec., 1977, explained to the L.A. City Council in 1975 as to what happened to these items, "None of those items were ever introduced at Sirhan's trial.

"Therefore, after Sirhan's April 17th, 1969 conviction on murder charges, they were routinely destroyed on June 29th, 1969," Gates had said at the same time Mrs. Castellano's KATC group published Clements's photographs, and the A.P. photo, which brought the issue to publicly.

Unfortunately, neither Mrs. Castellano nor anyone else outside of law enforcement had access to the FBI photos, and neither the late FBI director J. Edgar Hoover or the L.A. FBI SAC, Wesley Grapp, were in the habit of permitting agents to grant interviews with the L.A. Free Press.

According to veteran RFK assassination researcher John G. Christian, he and former Special FBI agent William W. Turner have completed a book, "The Death Of Robert F. Kennedy: Conspiracy & Coverup", which is slated to be published by Random House in the fall of 77 (edited by Random House editor Jason Epstein and the book is expected to include a Forward by Vincent T. Bugliosi, author of the bestseller, "Helter Skelter" about the Manson Family).

"In the book, there will be a lot more information about who really killed Senator Robert Kennedy, and why he was killed, and it wasn't Sirhan acting alone, we tell you that much right now", Christian explained in a recent interview.

As for how former FBI Agent Bailey happened to meet Bugliosi, Atty. Bugliosi was not available at his Beverly Hills office, but a Random House press release said, "In Nov., 1976, Bugliosi was approached during an East Coast speaking engagement by a man who identified himself as a former FBI agent who was assigned to the L.A. FBI office at the time of the RFK assassination.

"William A. Bailey (later) executed a signed statement for Bugliosi which confirmed that the FBI had, in fact, conducted a careful examination of the entire room and its contents, and that Bailey's three-man team of investigators had, in fact, positively identified bullet holes in addition to those accounted for by Los Angeles police officials," the Random House press release dated May 17th, added.

Further evidence of at least 10 or 11 gunshots having had been fired during the murder had been taped-recorded by an ABC-TV network tape-recording device, which had been left "on" after the RFK victory rally, even though that ABC-TV equipment was not broadcasting live at the time of the RFK assassination.

In the hours immediately after the RFK assassination, ABC-TV commentators Howard K. Smith and the late Bill Lawrence played that sound-tape several times over the ABC network, which was played over channel 7 in L.A.

Each time Smith and Lawrence played the tape back, they counted at least 10 or 11 "sounds" which they each said were definitely gunshots, and no more than 12 or 13 gunshots, which they could be sure of.

As time during the early morning hours of June 5th 1968, proceeded, and Howard Smith eventually realized that one gunman could not have fired "that many" shots with the .22 valiant pistol authorities had confiscated, Smith never had the sound-tape of the assassination played again.

Lee Harvey Oswald acted alone in Dallas. Smith began saying as he had sounded a little nervous, whereas Bill Lawrence had said that he thought that it was possible that a conspiratorial group or groups were responsible for at least some of the major assassinations of the 60s.

In addition to the excellent research of Mrs. Castellano, John G. Christian and Bill Turner, amongst many others, another veteran RFK researcher named Theodore R. Charach, who has been investigating the RFK assassination since those fatal moments when RFK was slain (He died on June 6th, 1968).

"If it wasn't for you, none of this (controversy) would be happening," Atty. Bugliosi has told Charach, who while doing research for his movie, "The Second Gun", got firearms experts such as William W. Harper of Pasadena and several others to examine the RFK bullets, and see if they were all really fired from Sirhan's gun or not (they concluded the bullets could not be positively matched to Sirhan's gun).

In the March and April, 1977 editions of KNAVE Magazine, publisher Russell Gay and managing editor Alan Smith published a lengthy article by investigative reporter Ted Charac, entitled, "Why Sirhan Could Not Have Killed Robert F. Kennedy" (back issues available from KNAVE, 120 East 56th St. New York, N.Y. 10022).

Whereas the Charach article in KNAVE includes many valuable photos, one of the most interesting appears in the April, 1977 edition on page 92, which came with the caption, "Unidentified girl at lower left, wearing what appears to be a white voile dress with dark polka dots".

"Police put out an all points bulletin for her but came empty-handed," the Charac-KNAVE caption said.

And, on page 95 of the same edition of KNAVE, there is another photo of what appears to be the same woman, accompanied by the Charac-KNAVE caption, "Unidentified woman in polka dot dress holding what appears to be a microphone to her mouth."

"Witnesses claimed she was in contact with an Arab-looking man on the podium behind RFK during the Senator's victory speech at the Ambassador Hotel before the tragedy," the Charac-KNAVE caption noted.

At this time of writing, one doesn't know if the FBI's Intelligence Division or the LAPD's Public Disorder Intelligence Division (PDID) or Major Crimes Section (MCS) was ever able to identify the woman in the polka dot dress, but the LAPD's A.P.B. of June 5th, 1968, stated prior to shooting, suspect observed with female cauc. 23-27, 5-6, wearing a white voile dress, 3/4 inch sleeves with small black polka dots, dark shoes, bouffant type hair.

"This female not identified or in custody. The LAPD's A.P.B. had said,

Hence, D.A. John K. Van de Kamp, we say let's find out now who else was firing weapons at RFK at the Ambassador on June 5th, 1968, as well as who supervised the on-the-scene team of assassins, as well as the identities of their sponsors or financial backers, and how they were able to sabotage the overall LAPD investigation with relative ease.

Assuming convicted assassin Sirhan Sirhan isn't conveniently killed at Soladad, maybe Sirhan will tell County Supervisors Ward and Hahn whom he thinks set him up as the "patsy" in the RFK murder.

And so the RFK case is not closed after all.

(Mount Clipping in Space Below)

Opening of File on Sen. Kennedy Urged

The Los Angeles Police Department should open to the public its 10-volume file on the Robert F. Kennedy assassination to bolster confidence in the murder investigation, the Board of Supervisors was told Tuesday.

Thomas F. Kranz, special counsel appointed by the board on Aug. 12, 1975, to make another investigation of the slaying, made the recommendation as he presented his 135-page report, the gist of which was:

"My basic conclusion is that Sirhan Sirhan acted alone in the murder of Sen. Kennedy. I found no evidence of a second gunman or of any conspiratorial activity.

"I believe that all of the law enforcement agencies involved conducted thorough and complete investigations and that the findings of both the trial and appellate courts that Sirhan Sirhan is guilty are completely justified."

But Kranz said that "one of the key elements which has undermined confidence in the investigation" is the secrecy surrounding the extensive police file on the case.

This file should be opened to public inspection "following appropriate deletion of irrelevant information which might be embarrassing to innocent people," the special counsel said.

Because of the "tragic magnitude" of the Kennedy murder, Kranz said, "I do not believe that people will ever be totally satisfied with the conclusions which have been reached."

Kranz also recommended that the county "should seriously consider establishing an independent crime laboratory which will serve police departments throughout the county."

Such a laboratory, he said, would "remove any suggestion that criminalistic investigations of crimes are in any way subject to police pressure."

Kranz criticized in his report conditions that allowed destruction of ballistics and other evidence that would have positively resolved the question of a second gun in the Kennedy case.

The special counsel said, however, that he found no evidence of any deliberate efforts to hide or destroy evidence.

The supervisors scheduled a public hearing on the Kranz report for 12 p.m. May 17.

Supervisor Kenneth Hahn urged Kranz to make another effort to interview Sirhan at Soledad Prison. Kranz said Sirhan previously had rejected his request for a meeting.

"I think historians who will record this event will say, 'Why didn't somebody talk to Sirhan?'" Hahn said.

"You have time yet to go visit him. We might find out more from talking to him than from all the reports we can produce."

Kranz said he would contact Sirhan's attorney again today and try once more to set up an interview.

(Indicate page, name of newspaper, city and state.)

II-2 LOS ANGELES
TIMES
LOS ANGELES, C.

Date: 4/6/77
Edition: Wednesday Final
Author:
Editor: William Thomas
Title: SIRHAN

Character:

or
Classification:

Submitting Office: 106
Los Angeles

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9 APR 8 1977

FBI - LOS ANGELES

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(Mount Clipping in Space Below)

REPORT SAYS SIRHAN ALONE KILLED KENNEDY

A special counsel appointed to investigate the murder of Robert F. Kennedy nine years ago says Sirhan B. Sirhan acted alone in assassinating the senator, a newspaper reported Sunday.

The paper reported it obtained a delayed 60-page report scheduled for release Tuesday by the district attorney's office and prepared by special counsel Thomas F. Kranz.

"Special Counsel Kranz has found no evidence, or possibility of evidence, of any coverup by law enforcement agencies to protect their own reputation or preserve the original conviction," the report said.

"Kranz has found no indication that there was more than one assassin, who may have fired more than one gun, with more than eight bullets.

"Special Counsel Kranz is convinced, from all the evidence, that there was no second gunman, and that the original trial court verdict was correct."

In explaining the delay in the long-awaited report, Kranz cited cutbacks in the district attorney's office.

"In the minds of the public," he said, "the very nature of a political assassination is such that our pop culture will undoubtedly produce new theories and scenarios."

Kranz, who was appointed by the Los Angeles County Board of Supervisors to investigate the June 5, 1968, killing, acknowledged it is impossible to prove a negative: That Sirhan's gun and no other gun killed Kennedy.

"Nevertheless," Kranz said, "the overwhelming evidence underscored the fact that Sirhan Sirhan was the sole assassin."

(Indicate page, name of newspaper, city and state.)

P-7 EVENING OUTLOOK
SANTA MONICA, CA

Date: 4/4/77
Edition: Star
Author:
Editor: Robert D. Funk
Title: KENSALT

Character:
or C.R.
Classification:
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☐ Being Investigated Los Angeles 106

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FBI - LOS ANGELES	

b7C

(Mount Clipping in Space Below)

Release of RFK Death Files Urged

Release by the Los Angeles Police Dept. of its files on the Robert F. Kennedy assassination probe could help restore public confidence in the investigation, according to a lawyer hired by the Board of Supervisors to review the case.

Attorney Thomas F. Kranz, hired by the board last August, made the comment yesterday when he turned in his report, stressing that he found no evidence of a conspiracy in the 1968 assassination for which Sirhan B. Sirhan was convicted and sentenced to life in prison.

"My basic conclusion is that Sirhan acted alone in the murder of Senator Kennedy," Kranz said. "I saw no evidence of a second gunman or any conspiratorial activity."

However, he acknowledged that he does not believe the public ever will be "totally satisfied" with the conclusions of the investigation.

Two steps toward restoring public confidence could be the release of the 10-volume set of police files and the creation of an "independent crime laboratory" which can handle work for all police agencies in the county, Kranz added.

The supervisors voted to hold a public hearing on the report at 2 p.m. May 17 at the Hall of Administration.

(Indicate page, name of newspaper, city and state.)

A-3 HERALD EXAMINER
LOS ANGELES, CA

Date: 4/6/77
Edition: Wednesday Lates
Author:
Editor: Donald Goodenow
Title: KENSALT

Character:
or C.R.

Classification:
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9 APR 6 1977	
FBI - LOS ANGELES	

67c

(Mount Clipping in Space Below)

D.A. Releases Conflicting Bobby Kennedy Death Report

By Greg Roberts

After more than what has amounted to a year after the so-called "two gun" possibility controversy in connection with the Robert Kennedy assassination subsided or at least significantly died down, the L.A. County Dist. Atty.'s office last week, finally released the report it had promised the L.A. County Board of Supervisors, back in August, 1975.

If one recalls, it was during that time that the onetime prestige of the whole U.S. intelligence apparatus, including the CIA and the FBI, and in turn extending into both the U.S. Military establishment to the intelligence community at the state and local level, had hit an all time record, rock bottom low point.

And, at the local level, there was fellow RFK assassination victim Paul Schrade questioning the "lone-assassin" verdict in the June, 1968 Bobby Kennedy assassination, and at the time, Schrade was demanding and getting what was left of the ballistic evidence in the case, such as the Sirhan guns and the bullets, thoroughly examined to see if they had accomplished the deed that was ascribed by honorable men (and not very many women) to them.

To explain away the unfortunate delay in connection with the release of the report on the murder of Bobby Kennedy, Special Counsel Thomas F. Kranz provided a bureaucratic explanation as to why there was a regretful delay in the Report's Foreword.

"My basic conclusion is that Sirhan B. Sirhan acted alone in the murder of Sen. Robert Kennedy," Kranz, who thinks of himself as a friend of the Kennedy Family, but who advised that the Kennedy Family does not think to highly of him, told the L.A. Board of Supervisors.

"I found no evidence of a second gun-man or of any conspiratorial activity," Kranz told the supervisors as they nearly dozed off sleep, and the nearly 50 people who packed the Supervisors' Hearing Room of the downtown L.A. Hall of Administration during that special afternoon session, on the date of the L.A. City Hall elections, when the general public wasn't around and the newsmedia preoccupied with other news to cover.

"I believe that all of the law enforcement agencies involved conducted thorough and complete investigations, and that the findings of both the trial and appellate courts that Sirhan Sirhan is guilty are completely justified," Kranz continued, wishing that the afternoon was already over, regretting to himself that he ever took such an assignment, and hoping that the "conspiracy buffs" would soon leave him alone.

When Kranz had finally finished reading the prepared statement, Supervisor Kenneth Hahn decided not to let Kranz off the hook that easy, and told Kranz to make more of an effort to talk to the incarcerated "pathetic knar," which Kranz characterized Sirhan as.

(Indicate page, name of newspaper, city and state.)

P-3 HOLLYWOOD PRESS
HOLLYWOOD, CA

Date: 4/15/77

Edition:

Author: Greg Roberts

Editor: Paul C. Picard

Title: KENSALT

Character:

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Classification:

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Los Angeles

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MAY 1 1977
FBI - LOS ANGELES

b7c

...was a man! After turning page 52 of the report to her, she put it back on the line. ...Kamp, who has never come back on the line. ...Krantz, is not any connected with a woman super-

...de Kamp plays the "Oh, you're Greg Roberts" the editorial choice to succeed taking the Krantz report was correct. ...Krantz, who has never come back on the line. ...Krantz, is not any connected with a woman super- ...Krantz, who has never come back on the line. ...Krantz, is not any connected with a woman super-

...the LAPD, the Los Angeles Times, ...Krantz, who has never come back on the line. ...Krantz, is not any connected with a woman super- ...Krantz, who has never come back on the line. ...Krantz, is not any connected with a woman super-

...the argument that such records of a ...Krantz, who has never come back on the line. ...Krantz, is not any connected with a woman super- ...Krantz, who has never come back on the line. ...Krantz, is not any connected with a woman super-

Actually, at the time of the Bobby Kennedy assassination, which occurred at the Ambassador Hotel in Los Angeles on June 5th, 1968, at about 12:31 a.m., in the kitchen pantry of the Embassy Room, where RFK had just claimed victory in the Calif. Democratic Presidential primary election contest of that time, Pete Noyes was the operations control supervisor in the newsroom at KNXT-TV channel 2 studios in Hollywood.

Unlike most of the other establishment television news producers, Noyes had taken an interest in learning the actualities of the assassination of President John F. Kennedy, which occurred in Dallas, Texas, on Nov. 22nd, 1963.

In the Kranz report, this statement quoted above is misleading, because Noyes, as the producer of the Big News at KNXT-TV, and later at KABC-TV as a television news producer, was in a position to learn quite a bit about the RFK assassination, and the combined FBI-LAPD-Dist. Atty. probe of it.

Moreover, while Kranz notes in his report that Noyes' book contains at least "one chapter" on the RFK case, the Kranz report gives no indication that Kranz ever followed up on the leads provided in the book, or asked Noyes anything about his knowledge of many of the other subjects in the Kranz report, particularly where KNXT news is frequently mentioned.

Noyes' book is largely about Jim Braden, a charter member of the Mob's plush LaCosta Country Club in San Diego, who was taken into custody in Dealey Plaza by the Dallas Sheriff's office, when JFK was shot there.

When Noyes "ran" Braden's Calif. drivers license with the State Dept. of Motor Vehicles (No. H751755), he learned that was really Eugene Hale Brading, a veteran crime syndicate racketeer who changed his name in DMV records on Sept. 10th 1963, and who is well known to the L.A. FBI office, and its organized crime section, as No. 799431.

Although Braden-Brading had known JFK assassination suspects like the late David W. Ferrie, Jack Ruby, and Dallas oilman H.L. Hunt's two sons, Lamar and Nelson Bunker Hunt, the FBI in Los Angeles never told the Warren Commission who "Jim Braden" really was, even though two FBI agents went out and had a "chat" with him about his "oil business" in Texas on Nov. 22nd, 1963.

As for the Kranz report and Noyes' book, Kranz carefully neglects to state in his RFK report that Noyes discusses the RFK assassination, and Jim Braden, in several other chapters in the Noyes book. For example, in Chapter 5, Noyes asserts:

"Later on, when Los Angeles police learned that Braden-Brading had indeed been in Dallas at the time of John Kennedy's murder, they decided to interrogate him immediately, mainly to determine what he was doing on the night of June 5th, 1968, when Sen. Robert Kennedy was slain."

LAPD Homicide Sgt. Manuel ("Mac") Gutierrez, who conducted the interview at Brading's home in Lake San Marcos, Calif., became somewhat uncomfortable when he noticed an FBI agent he recognized waiting outside the house.

Nevertheless, he proceeded with the interview, without inviting the FBI men to participate.

"As Brading told the story to Sgt. Gutierrez, he was in the Century Plaza Hotel on the West Side of Los Angeles the night of the RFK assassination," Noyes writes.

"The Century Plaza is a drive of about 15 minutes from the Ambassador, where Robert Kennedy was killed."

"Why didn't you give your true name at the Dallas Sheriff's station?" Sgt. Gutierrez asked.

"They didn't ask me," Brading responded, "and so forth."

(In Nov., 1963, Braden-Brading was on Parole and reported to Federal probation officers, and Noyes points out that Brading left Dallas, after being released by the Sheriff's Dept., to go on to Houston, for more "oil business.")

(Coincidentally, Houston was where David Ferrie, the onetime Lee Oswald associate who had gangland connections, also had the urge to drive from New Orleans after the JFK assassination).

Curiously, the FBI's case agent Braden-Brading in 1964, like the truth-hunting Sgt. Gutierrez, each died of "heart attack" in Las Vegas recently, shortly after he learned that he was under probe by the House Assassination Committee and might be called as an important witness in connection with the RFK assassination).

In any event, in Noyes' book, commenting on the LAPD's 10 volumes, Kranz claims he had complete access to, Noyes states, "A number of lawyers and private investigators, as of this writing, have filed court suits to force the LAPD to make a full disclosure of its records in the Sirhan case."

"The records consist of ten volumes covering every phase of the RFK investigation."

"I am convinced, that the LAPD will never make the records public voluntarily, because it fears the information in its possession concerning Eugene Hale Brading is potentially explosive."

"Even should a court order the LAPD to release the ten volumes, I am willing to wager that the hundreds of pages dealing with the mystery man of Dealey Plaza will somehow disappear."

"For one thing, certain officials in the U.S. Justice Dept., do not want the information made public so long after the fact," Noyes commented.

Anyway, after Kranz had finished his paper publishing field, Horowitz wants the County Supervisors that at do something about bringing the truth "pathetic loner" killed Robert Kennedy, about the assassinations out, no matter and while Supervisor James Hayes as what is.

"Yes, I interviewed Noyes, and he admitted that 95 per cent of his book dealt with the JFK assassination, in Dallas," Kranz said gleefully.

When Kranz was asked why he didn't probe that subject, he looked a little frightened, and briskly walked off.

For example, Kranz doesn't mention that the U.S. Justice Dept. refused to let the L.A. Dist. Atty.'s office examine the whole set of FBI, CIA, U.S. State Dept., and Immigration & Naturalization Service records and files on Sirhan B. Sirhan.

In Sirhan's case, was there a "special relationship" with either the FBI, or the CIA, such as which Lee Oswald clearly had, as did Jack Ruby, that the FBI, or the CIA, such as which Lee Oswald clearly had, as did Jack Ruby, that the FBI, a sort of national German Shepherd watchdog, didn't want to volunteer to the public?

Or, in the case of the LAPD, why did the agency refuse to provide the Robert Kennedy Embassy rally with the protection of its Intelligence Division in 1968, which was well aware that RFK was hated by organized crime, and had officers trained in identifying racketeers, as well as political extremists, who might show up?

Certainly, if RFK's aides didn't want uniformed officers hounding Kennedy, which was the George Wallace campaign style at the the time, they never said, "Don't send the Intelligence Division down," and if one or only two of RFK's high-ranking aides did say that, one can only wonder if they were participating in an assassination conspiracy themselves.

Otherwise, the name of JFK-King-RFX researcher of Jim Horowitz comes up in the Kranz report.

As a newspaper columnist and part-time newspaper and magazine publisher, Horowitz is unique in the sense that unlike many of his colleagues, Horowitz is unique in the sense that unlike many of his colleagues in the news-

paper publishing field, Horowitz wants to do something about bringing the truth about the assassinations out, no matter what it is.

And, in this light, Horowitz becomes of interest to the FBI, particularly when he starts publishing widely circulated columns containing interviews with "former undercover operatives for the FBI" whose charge in the interview that the FBI in some way participated in a cover-up of the 1963 Dallas assassination of President Kennedy was involved in it.

(Horowitz' column, "Between The Lines," is available from the Burbank-based Valley Publications Inc., phone [213] 877-5643).

No sooner had the March 30th, 1977, interview with a "Harry Dean" appeared on April 1st, two FBI agents dropped in to see Horowitz, and personally delivered an April 1st, 1977, letter from Robert E. Gebhardt, the assistant director of the FBI in charge of the Los Angeles field office.

And, the two FBI men dropping by to deliver the letter Horowitz were not any two FBI agents but L.A. FBI Intelligence Division Special Agent in Charge Elmer F. Linberg, and FBI News Media Coordinator John F. Morrison.

"I have read your column, 'Between The Lines,' which appeared in the March 15th, 1977 edition of the Las Virgenes Independent Valley News," ADIC Gebhardt wrote.

Otherwise, as for the Tom Kranz report, while it does show that D.A. John Van de Kamp is making a much greater effort to bring the truth out about the RFK assassination than former D.A. Evelled ever did, quite obviously it still leaves a lot to be desired.

In a democratic society, you do have the right to know who killed your President, your civil rights leader, and your United States Senator as well.

A freelance writer, Greg Roberts welcomes letters at P.O. Box 8491, North Hollywood, Ca. 91608.



While researching the RFK assassination, Special Counsel Tom Kranz failed to check into reports that alleged assassin Sirhan B. Sirhan (above) had any links to Mafia figure Jim Braden whose real name is Eugen Hale Brading.

(Mount Clipping in Space Below)

James Bacon

Interference With Kennedy Investigation?

Fred Otash, well known Hollywood private eye, made some sensational charges about the Kennedys the other night on Tom Snyder's "Tomorrow" show on NBC-TV.

Fred said that Johnny Roselli, who went out gangland style a few months ago, intervened, as only Johnny could, in an investigation of JFK's private life.

"He strongly suggested that I drop a case which was about to name the President in a divorce action."

Otash said that Roselli told him that Bobby Kennedy had sent him to ask Fred to lay off. Otash said that the case involved a California millionaire who later got a divorce without introducing the Kennedy evidence.

Fred said he and Roselli met in March 1961 at the Brown Derby restaurant in Hollywood.

Roselli was slain recently in Miami. He had been a key witness in the recent Senate investigation into the relationship between organized crime and the CIA.

It was Roselli who leaked the relationship between JFK and Judith Campbell Exner, who also was a girlfriend of Sam Giancana, the godfather of Chicago.

Charlie Blue Eyes (one of Sam's nicknames) also departed this earth gangland style.

Fred has a new book out called "Investigation Hollywood." Fred said Roselli was not the only one who "offered advice" that Otash lay off the investigation. He named the others as Sammy Davis, Jr., Peter Lawford and former L.A. district attorney Frank Biondi.

Otash said his files on JFK were confiscated by the Secret Service shortly after the Roselli meeting.

It sometimes pays to stay up until 1 a.m. to hear Snyder's show. He comes up with some sensational stuff for his insomniac audience.

(Indicate page, name of newspaper, city and state.)

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Robert Kennedy . . . involved with
Johnny Roselli?

(Mount Clipping in Space Below)

Police Suppress LAPD Intelligence Records In RFK Death

by Greg Roberts

Files and records of the LAPD's old intelligence division relating to protection and security arrangements for the late Senator Robert F. Kennedy, and specifically "why" protection was halted before the assassination and at whose specific direction, is being suppressed by the LAPD brass of today.

"The information which you requested, seeking the name of the portion of the LAPD which has records identifying former Intelligence Division personnel, and the identities of the actual Intelligence Division officers themselves, is not available to you," said Officer Mike Butcher of press relations on Sept. 2nd.

"That information can only be obtained with a court order," Butcher added.

After being transferred around the LAPD headquarters, a woman named "Karen" at 213/485-2643, in the Planning and Research Section, refused to transfer us to the proper party in the LAPD's Personnel Management Office, who would in turn look up the necessary information.

The late Bobby Kennedy was gunned down on June 5th, 1968, at the Ambassador Hotel, in Los Angeles after having just won the Calif. Democratic presidential primary election contest of that day, held on June 4th, 1968.

"At that time, responsibility for the protection of VIP's was provided for by the Department's Intelligence Division," said Cmdr. Peter Hagan of Chief Davis' office.

The "old" Intelligence Division was split into two intelligence divisions on July 12th, 1970.

At that time, the "old" Intelligence Division was renamed the Organized Crime Intelligence Division (OCID), and its "child," the former "subversive investigative services section," "grew up" and was reorganized as the Public Disorder Intelligence Division (PDID).

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Today, OCID is commanded by Capt. Donald E. Miller, successor to the legendary organized crime section Capt. James Hamilton, and PDID is headed up by Capt. John Thompson, who was its first capt.

In an interview with the L.A. Herald-Examiner published last Sunday, Aug. 29th, a former LAPD officer subsequently identified by Capt. James Hagan as once having served in the LAPD's Metropolitan Division, which in 1968 and today assists in guarding VIPs visiting the Southland, revealed that LAPD intelligence officers had been ordered off the RFK protection function.

"At 4:30 p.m. on June 4th, our intelligence group was forced to withdraw all of our protection," former LAPD officer Marion D. Hoover said.

As we have learned in the recent past, the LAPD's Intelligence Division of 1968 had arrived at the Ambassador Hotel, along with a contingent of Metropolitan Division "back-up" officers, and sometime during the late afternoon hours on June 4th or during the early evening, those Intelligence cops were ordered out of the Embassy Room and surrounding entrances and exits.

However, at 4:30 p.m., Robert Kennedy was still visiting movie producer John Frankenheimer and his guests at Frankenheimer's Malibu home, so it was not Robert Kennedy who told officer Hoover to leave with the withdrawing Intelligence Division officers.

"Most of what was attributed to officer Hoover in that article if not all of it, is pure fiction," officer Butcher explained on Sept. 1st.

Despite Hoover's main career with the LAPD as a Central Division beat patrolman, he undoubtedly observed or picked up a number of interesting bits relating to the Robert Kennedy assassination.

As for this officer Hoover's exact background with the LAPD, a Personnel Division supervisor named Folbert refused on Sept. 3rd to disclose any information about Hoover's career.

Neither Ms. Folbert or any of her clerks made any effort to verify that we were newsmen, and they admitted there was no rule in writing prohibiting them from disclosing what divisions Hoover worked or when he retired.

Call the police and ask them about anything concerning the RFK assassination, and they find a reason not to tell you anything.

However, in June of 1968, the commanding officer of the Intelligence Division was was Capt. Walter Colwell (Retired), and the three supervising lieutenants were Lt. George Yocham (ret.), Lt. Prier Barove (ret.) and Lt. Walter A. Stephenson.

"I wasn't involved in protection aspects for Mr. Kennedy. I didn't assist in the investigation, and I don't recall or remember who in the Intelligence Division, it's been so long, was down there that night, if anybody was there," said Capt. Walter Stephenson of Central Division's Investigative Support section, on Sept. 2nd.

...the LAPD refused to release information regarding the assassination of RFK. In 1968, the other pay and time L.A. Police Commission, L.A. City, were obtained by the Organized Crime Intel. and Chief Davis himself should not have them, but actually is release most of the 10 volumes, but under orders by Chief Davis not to do so. They should encourage Congress to close any information that is duplicated vestige as well. For example, who in the LAPD or in the suppressed "10 volumes" on the RFK murder. Or, who in the Kennedy assassination was Burbank protection, and told them that RFK was himself they were wanted?

Causally, this Lt. George Yocham, who was Burbank protection, and told them that RFK was himself they were wanted? is the same officer who was Burbank protection, and told them that RFK was himself they were wanted? Private Detective Robert Duke Or, who in the Kennedy assassination was Burbank protection, and told them that RFK was himself they were wanted? ("Bobbie's" Hall's partner in Privacy Police, and told them that RFK was himself they were wanted? Unlimited Inc., who was himself they were wanted? (Hall) shot to death by an unknown assailant on July 22nd.

However, as Burbank supervision, will tell you, there are so many faces to the Hall case that the killer cannot be identified to any previous homicide, including the JFK and RFK assassinations. Miami in late July, 1976. Despite the denial of RFK press secretary Frank Maniewicz in 1969, and after the assassination as well as the effect that neither RFK or his organization had told the LAPD Cmr. Peter Hagan said in 1968, and said again on Sept. 2nd, 1976, that the RFK campaign organization had told the LAPD not to provide RFK with any police protection at the Ambassador Hotel. Objectively speaking, the facts of this issue have never been tested in court or under oath, unless very specifically.

If RFK was the victim of a conspiracy, as the evidence certainly suggests, he was the group would have infiltrated both the Kennedy campaign and the LAPD. Should history someday prove that former New Orleans D.A. Jim Garrison was right that the CIA was involved, and if San Diego television newsmen Pete Noyes (KPNB-TV) was right about the Mafia having helped kill RFK, then a "CIA-Mafia" alliance would have been responsible for not wanting Bobby Kennedy in the White House and we know today that the CIA and the Mafia often participated in a number of other joint projects, like plotting to murder Cuban Prime Minister Fidel Castro.

Others in the local establishment suppressing a certain amount of information is County Coroner Dr. Thomas Noguchi, whose secretary, a woman named Ruth, told us on Aug. 23rd that the good doctor did not want to discuss the Robert Kennedy assassination.

Under the Freedom of Information Act, Director Clarence Kelley of the FBI recently released FBI reports and photos disclosing that FBI supervisor A. C. Greiser, and a photographer named "Dick" of the L.A. FBI's offices 1968 and present-day photo lab, had taken pictures after the assassination.

Some of the photos show Dr. Thomas Noguchi pointing to "bullet holes," where the LAPD subsequently says or said that there were no "extra" bullet holes.

After FBI Director Kelley released the RFK data in May, he became the target of a vicious smear campaign in the New York City based establishment press, where members of the Council on Foreign Relations (CFR) are the master of the New York Times, Time, Newsweek, ABC, NBC, CBS, and aseam.

As we went to press, the CFR newsmedia establishment was demanding Kelley's retirement because he accepted a few hundred dollars, if that much, in petty gifts from FBI employees. (Cabinet shelves, a wrist watch, etc., and not color TV's new cars, lots of cash and other "gifts" normally associated with 'payoffs').

Kelley was also blasted for not disclosing that FBI security agents had broken into Weather Underground sympathizers homes, offices and apartments. (The Weather Underground is undoubtedly CIA infiltrated if not controlled by the CFR faction in the CIA).

"The 9th amendment of the U.S. Constitution provides that government shall not be prohibited from protecting the rights of the majority as a result of any of the other amendments," said W. Mark Felt, a former FBI official responsible for the break-ins, in a Aug. 29th CBS "Face the Nation" interview, in defense of them.

Meanwhile, the L.A. Police Chief Ed Davis would do all a favor if they started now to open the RFK case. And they can begin by explaining why LAPD intelligence left RFK naked at the Ambassador before he was ambushed.

A freelance writer, Greg Roberts welcomes letters at P.O. Box 8491, North Hollywood, Ca. 91608.



L.A. County Coroner Dr.
Thomas Noguchi refuses to
discuss the facts of RFK death
with nesmedia.

RFK Assassination Researcher Tells KNXT News that FBI Reports Reveal Eleven Shots Fired During RFK Death

by Greg Roberts

As a result of a series of special requests and lawsuits made to the FBI under the Freedom of Information Act by Washington D.C. attorney, Bernard Fensterwald, a little more than 800 pages of once classified FBI reports pertaining to the Bobby Kennedy assassination were recently released by Director Clarence M. Kelley.

The late U.S. Senator Robert F. Kennedy was gunned down at the Ambassador Hotel in Los Angeles on June 5, 1968, shortly after he had just claimed victory in the California Democratic Party Presidential Primary race of that day.

"Some of the FBI reports and photographs released under the Freedom of Information Act indicate that the FBI agents believed strongly that they had located bullet holes where the Los Angeles Police have since said there were none," Dr. Robert Joling, an RFK assassination researcher, told KNXT-TV, Channel 2 newsmen Bill Stout in a televised interview broadcast last Sunday night, June 13th.

"Here you see (in a photograph shown on television) Dr. Thomas Noguchi, the Los Angeles County Coroner, in (an) FBI photograph, pointing to a bullet hole in the door-jamb," Dr. Joling, a former president of the American Academy of Forensic Sciences, added.

All in all, according to what Dr. Joling stated, the Federal Bureau of Investigation team which went over the kitchen pantry at the Ambassador Hotel, recorded four extra bullets which the LAPD was willing to acknowledge the existence of.

That is, the Los Angeles Police and District Attorney's Office have repeatedly asserted that Sirhan B. Sirhan acted alone and fired only eight rounds at Robert Kennedy.

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But if the FBI investigators found bullet holes in these four separate locations, then there were at least 11 gunshots fired, and obviously all of the shots not coming from the deranged lone assassin and patsy.

The lawyer who obtained the once classified FBI reports, Bernard "Bud" Fensterwald, is the co-founder of the now defunct Washington D.C. based Committee to Investigate Assassinations (CTIA), and who once represented Nixon administration Watergate defendant James McCord, and alleged Martin Luther King assassin James Earl Ray.

In a telephone interview, Art Kevin of KMPC Radio said he was familiar with the FBI reports in question.

"It is my feeling on this that they were assumptive bullet holes on the part of the FBI, or 'holes' which they initially thought could be bullet holes but later proved to not be bullet holes," Kevin advised on June 17th.

Apparently these FBI photographs were taken on or about June 5, 1968, during the very early stages of the RFK assassination probe, and the subsequent descriptive reports were not initially intended to be total proof that legitimate bullet holes had been discovered.

On the other hand, as Asst. LAPD Chief Daryl Gates pointed out, each of the doorjamb and ceiling panels in question were destroyed by the Los Angeles Police Department on June 29, 1969, because they weren't introduced as evidence at Sirhan's trial.

At the L.A. FBI office, a high-ranking official pointed out, "The FBI in Washington D.C., which has released some reports recently under the Freedom of Information Act, told those who received the reports that there was no evidence of a conspiracy or a second gun contained in the FBI documents."

"That assertion," said another FBI spokesman in response to Dr. Joling's reported comments, "is just so much garbage."

"Those FBI reports don't say what he claims they say."

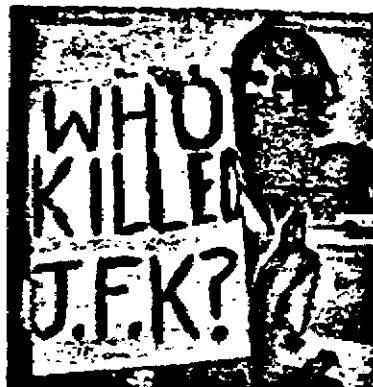
"The matter has been submitted to the courts and the judicial system has determined that Sirhan Sirhan acted alone."

"If they, or anybody else for that matter, has any new information, we suggest they submit it to the L.A. District Attorney," the FBI spokesman

Two of the four RFK assassinations supervising lieutenants, Lt. Manuel Pena and Lt. Enrique Hernandez, had prior connections with the U.S. Central Intelligence Agency," said researcher Donald Freed, author of a paperback book on the RFK case.

The other individual, Lt. Pena, who was in charge of background/cover investigations for the LAPD, also served the CIA's United Police Latin American Training project.

"He says he taught English for 10 months while traveling in Latin America," says Freed of Pena's activities before heading up SUS's conspiracy investigation.



Jan Diaz of the JFK-RFK as-
sassination truth coalition
wants to know who killed the
Kennedys and why. (Photo by
G. Roberts)



Researcher Rusty Rhodes
(right) and author Jeff Cohen
speaking at UCLA on the JFK,
King and RFK murders.
(Photo by G. Roberts)



In an exclusive report presented by KNXT's Bill Stout (left), Dr. Robert Joling revealed that FBI reports and photographs document 11 shots having been fired at RFK, and thus from a second gun. (Photo by G. Roberts)

(Mount Clipping in Space Below)

Did RFK's Order Seal His Death?

BY AL STUMP

In an angry outburst eight hours before his 1968 assassination, Robert F. Kennedy ordered Los Angeles Police Department bodyguards to stop protecting him and barred them from his presence — thereby possibly sealing his death warrant, according to sources here.

Former Police Department security specialist Marion D. Hoover revealed to The Herald-Examiner that Senator Kennedy lashed out at a Parker Center detail assigned to him, saying, "Get the hell away from me and stay away!"

The order was obeyed with great reluctance by the dozen men named to guard the presidential aspirant during his Los Angeles campaign visit.

"At 4:30 p.m. of June 4, our intelligence group was forced to withdraw all of our protection," disclosed Hoover, who headed the "hit-squad" unit.

"Kennedy brately demanded that we pull out."

"The senator insisted, even though earlier in the day he'd been swarmed over, knocked down and almost trampled by downtown crowds."

Hours later — when Bobby Kennedy was fatally shot at the Ambassador Hotel — the Los Angeles police force did not have one officer stationed inside the building.

"The truth is that we had nobody there for only one reason — we were told to stay away, and far away, by Kennedy, personally," Hoover now reports.

Routine procedure for LAPD intelligence would have been to check out the hotel's pantry before the V.I.P. and his party entered it and to positively identify everyone there, pointed out Hoover.

"We also would have had three trained men on either side of him and one out front. And, although some of us might have been shot, we could have made all the difference in the world," added the retired officer, who won 27 citations and two Medals of Valor in his 25-year police career.

Early in the morning of June 5, 25-year-old Sirhan Sirhan, an intruder in the pantry, fired fatal bullets into the brother of assassinated President John Kennedy.

one of them all here because we were not wanted."

(Indicate page, name of newspaper, city and state.)

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ORIGINAL TO THE BUREAU

The detailed account supplied by ex-Sgt. Hoover is the first inside report on what happened. It is the first time that anyone has advised LAPD commanders that they were evidently was a case of open hostility by "walking on eggs" and that they were not determined attempt by police despite this to from point to point. One LAPD official says, guard him against a situation which grew more dangerous through a frantic day. We learned that Kennedy wanted to appear anti-police, non-establishment and to not need our help because it was the politically smart thing to do at the time.

Chief of police at the time, Thomas Red, confirmed the Hoover story, adding: "Robert Kennedy very definitely wanted to move to the Plaza near Overya Street. Kennedy drew a crowd estimated at from 12,000 to 15,000, which 'went wild' when no part of us from the beginning of the trip. Street, Kennedy drew a crowd estimated at from 12,000 to 15,000, which 'went wild' when despite implicit hazards.

"He even tried to prevent us from agreed to pose for snapshots with supervising his motorcade through central various individuals. Hoover's detail had buttons torn off their jackets as they struggled to streets on the morning of his death.

"And he blocked us out of the Am-prevent people from overrunning a speaker's bassador, where we were allowed only out-podium. side plainclothes and traffic details.

"Had we been able to control security from the start, certainly the attack on him quite possibly could have been averted."

Street scenes which continued to leave local lawmen with feelings of deep regret began building toward a tragedy at mid-morning. Deplaning at International Airport, the senator was warned by Hoover to "get ready for a rough day." Racial tension had built locally after firings of some East Los Angeles Mexican-American teachers, who were supported by Senator Kennedy.

"At the outset at the airport," says Commander Peter Hagan of the LAPD, "a bunch of non-official, grey-shirted and very arrogant motorcycle riders appeared to escort Kennedy from LAX to the garment district downtown. We objected.

"We were informed they were Kennedy backers and to keep that in mind. But in the first few miles they raced through one red traffic light after another. We counted 31 violations and planned to send them to the city attorney's office for prosecution.

"However, when Kennedy died, we dropped the matter."

On Spring Street in the garment section, bodyguard Hoover stuck close to Kennedy, but was unable to prevent him from being knocked to the pavement by a milling 3,000 friends and opponents.

Hagan recounts that an LAPD motor sergeant ran up to help Bobby to his feet. "His hand was batted away by Kennedy who told him to get out of there," says Hagan. That was one of first indications that he intended to waste our usefulness and depend upon his small Secret Service contingent, alone."

Other witnesses testify that the garment throng became so unruly that Kennedy's shoes were torn off and taken. An hour later, new shoes were purchased during his brief stop at the Baltimore Hotel.

Hoover: "Here Kennedy had several sets of cuff links torn off — he kept replacing them — and there was no way in the world to protect him."

Ethel Kennedy, pregnant, sat in a parked car and expressed fear over what was going on and asked the LAPD to "please get him out — and fast."

When a route was created through the massed crowd, Kennedy climbed onto his white Chrysler convertible with Marion Hoover and other police holding onto his legs.

"A man I recognized as a punk local pickpocket reached up and grabbed Kennedy's watch off his wrist and began to run."

"I tackled him and threw him into the arms of one of our plainclothesmen," relates Hoover.

"With that, Kennedy blew up."

"He came totally apart and began to scream at me to get away from him and take the other officers with me. He told us, 'Everybody off the car from now on!'"

"And the senator shouted at newsmen around us that he'd have no more pictures taken with local police."

"We protested, but he ordered his car started and they took off at speed, leaving us standing there in the Plaza."

"As the car shot away, it grazed a Los Angeles police officer who was running alongside to offer security and knocked him head-over-heels."

With the intelligence detail of 12 left behind, Kennedy's motorcade proceeded to the Greek Theatre in the Los Feliz district. Hoover radioed Parker Center and reported to his superiors that he'd just been "fired" by the former attorney general and eventual winner of the California primary.

"We'd already heard about it," says Chief Ed Davis, "and we told the unit to pull out, if that was the way the senator insisted on having it."

An incident at the Greek Theatre raised police hackles. The unchecked crowd knocked down women and children, claims Commander Hagan, including one infant. "Her grandmother called us to complain we weren't upholding law and order in Los Angeles. We told her with regrets that the Kennedy people wanted no assistance from us."

Meanwhile, at headquarters, Chief Reddin contemplated what steps he could take to shield the senator at the sprawling Ambassador, where he would appear that night.

"Contact with the Kennedy people was made and it was made clear that our presence not only wasn't wanted, but was injurious to what was called his best interest."

Thus not one civic sworn officer was among the several thousand packed into the Ambassador to join in an election victory party the night of the assassination.

This was unprecedented in the city's modern history.

"We've set up elaborate protection for Russia's Nikita Khrushchev, Queen Wilhelmina of Holland, Harry Truman, Lyndon Johnson, Dwight Eisenhower, John Kennedy and many more, but never were we excluded from anywhere they went," said Ed Davis, adding wryly, "Jack Kennedy was absolutely uncontrollable when he was in Los Angeles, jumping out of cars into the crowd and leaving police in the lurch at 80 m.p.h."

"But at least he didn't tell us to buzz off."

Marion Hoover, bodyguard to two city mayors and remembered as the security cop who refused Khrushchev a trip to Disneyland, to the premier's fury, was at home watching TV when he learned that Bobby Kennedy had been shot.

"And his 11 partners of the Intelligence unit also were off duty when shots rang out.

"I can't tell you what I thought then. I've never told anyone," says Hoover. At 52, he is the model for the 'Bumper Morgan' character in television's "Blue Knight" series.

Parker Center veterans don't bother to conceal their disgust over a presidential candidate entering a strange room "with only a few amateur sport stars and what Secret Service could get through the mob to cover him."

Following the shooting, police here came in for heavy — but temporary — criticism for alleged failure to provide a tight network around their guests.

"That stopped very quickly," states Commander Hagan.

"We notified Washington that he had dozens of witnesses to our rejection right down the line, and would be glad to make full public disclosure of Robert Kennedy's attitude that we stay out of the picture.

"After that we never heard another complaint from Washington or anyone else."

When Washington asked the LAPD to provide escort of Senator Kennedy's body to the airport, for a flight east, this was done.

"And, unbelievable as it sounds, the same grey-shirted, lawbreaking bunch on motorcycles who'd ridden with Kennedy on June 4 showed up to help with the escorting," Hagan said.

"We had to use some muscle to chase them away."



Supporters surround Robert Kennedy, devoid of LAPD protection, just before assassination at Ambassador Hotel.

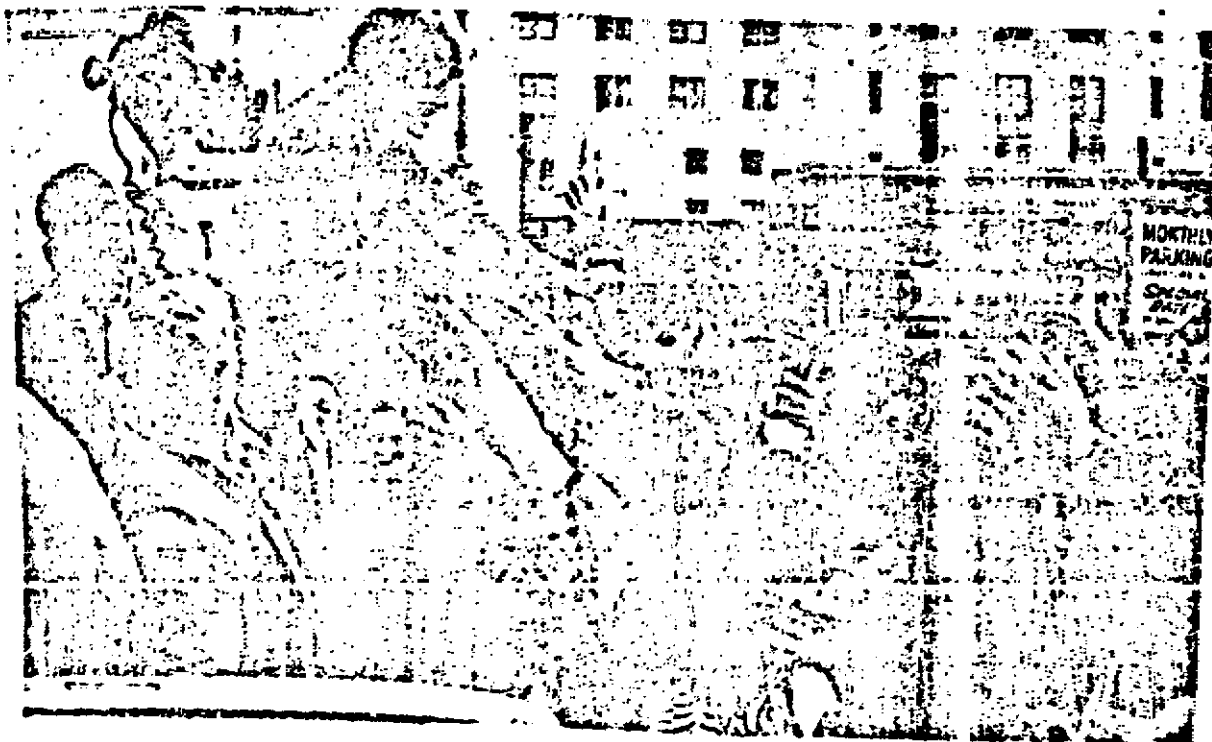


At Watts Writer's Workshop, Kennedy addressed members of the black community. Again, the absence of Los Angeles police is notable.



Before he was shot, RFK angrily ordered all protection by Los Angeles police to cease. As Kennedy lay

critically wounded in Good Samaritan Hospital, police surrounded his press secretary, Frank Menkiewicz.



Early June 4, 1968
before his outburst
demanding
removal of L.A.
police protection,
Robert Kennedy
was already
surrounded by
turbulent crowds.
One policeman's
cap can be seen at
far left. At various
points in the tour
that day, RFK's
shoes, cufflinks
and even his watch
were snatched from
his possession.

(Mount Clipping in Space Below)

Investigator Is Sure Sirhan Acted Alone

**Attorney Who Headed
Review of Slaying Will
Report Findings to DA**

**BY JOHN KENDALL
and WILLIAM FARR**
Times Staff Writers

No matter what some skeptics say, the special counsel appointed to review the Robert F. Kennedy assassination thinks that Sirhan B. Sirhan acted alone.

"I'm totally convinced from the scientific evidence, from eyewitnesses, from circumstantial evidence, from inferences, as well as the reality of common sense, there was no second gunman," Thomas Kranz said in an interview.

The 37-year-old private attorney, appointed last August by then acting Dist. Atty. John Howard, one of Sirhan's prosecutors, is preparing a report for Dist. Atty. John van De Kamp.

Aside from concluding there was no second gunman, the report will recommend creation of an independent crime laboratory outside the Los Angeles Police Department and adoption of a policy for preserving potential evidence.

Kranz also will suggest that Van De Kamp's office investigate a mystery: How did the barrel of Sirhan's gun become severely coated with lead after it was originally test-fired in 1968?

Implicit in that unexplained anomaly, Kranz thinks, is whether Sirhan's .22-caliber Iver-Johnson Cadet was tampered with while in the care of the Los Angeles County clerk's of-

(Indicate page, name of newspaper, city and state.)

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To what end? In an entirely different suggestion of possible conspiracy, Kranz speculates that someone may have tried to discredit the LAPD or intelligence agencies by creating doubt about the case.

Whatever the reason for the lead in the barrel, Kranz does not think it bears on whether Sirhan acted alone when Kennedy and five others were shot in the Ambassador pantry on June 5, 1968.

In Kranz' view, a hearing before Los Angeles Superior Judge Robert A. Wenke answered the "second gun" question to all but die-hard doubters, conspiracy lovers, publicity seekers or the uninformed.

A panel of seven experts re-fired Sirhan's gun last Sept. 26, exhaustively examined bullet evidence introduced at Sirhan's trial and jointly responded on Oct. 5 that:

"There is no substantive or demonstrable evidence to indicate that more than one gun was used to fire any of the bullets examined."

Although some experts came close to positive identification, none found unequivocally that bullets taken from Kennedy and two other victims, Ira Goldstein and William Weisel, came from Sirhan's gun and "no other gun in the world."

Their difficulty, the experts said, was a lack of sufficient individual characteristics—tiny scratches called striae—on the bullets to permit a positive identification.

In press conferences afterward skeptics argued that since Sirhan's revolver had not been positively identified as the murder weapon the question of a second gunman in the pantry remained entirely open.

They accused the media of misinterpreting what the experts had found, and they again raised questions about how many shots had been fired, calling for further investigation.

Publicly ignored at the time, however, were other expert conclusions, which, in Kranz' opinion, reduce the probability of a second gunman to nonsense and nearly a "mathematical impossibility."

The experts discovered that Sirhan's revolver had been damaged—either accidentally or in manufacture—in a way that left "gross imperfections" on test bullets fired through it.

Damaged spots in the gun's muzzle marked bullets with a double furrow.

That "gross imperfection" was discovered on the Kennedy, Goldstein and Weisel bullets and on test bullets fired by the LAPD in 1968 and by the expert panel last fall.

To the experts, the identifying gouge indicated that the evidence bullets had been fired by Sirhan's damaged Iver-Johnson, but they stopped short of positive identification.

It was not their task as firearms identification experts to go beyond what they saw in their comparison microscopes or what they could testify to with absolute certainty.

Any other implications—if any—were up to others, such as Kranz, who relates the double-gouge signature of Sirhan's gun with the possibility that there was a second gunman firing at Kennedy.

For a second assassin to have shot the senator, Kranz reasons, the unseen gunman would have had to have a weapon exactly like Sirhan's, down to the damaged barrel.

If that were not so, he said, how is it possible for the Kennedy, Goldstein and Weisel bullets and the old and new test bullets fired by Sirhan's gun to have that identifying double-furrow gouge?

What are the chances, Kranz asks, that two identically damaged .22 caliber Iver-Johnson Cadet models were firing the same copper-jacketed, mini-mag, hollow-tipped ammunition at the same time?

Then, Kranz adds a further complicating factor: Sirhan bought his gun second-hand. How did a second gunman acquire a weapon exactly like it?

"That defies mathematical probability," he said. "It's totally illogical."

Kranz follows similar reasoning in considering another expert finding.

In individual reports, five of the seven experts positively found—directly or inferentially—that bullets recovered from Kennedy, Goldstein and Weisel were fired from the same gun.

Again, the experts did not pursue possible implications of that key conclusion, and again, Kranz does. He relates the point to the question of where a second gunman could have stood in the pantry.

Almost from the beginning, "second gun" theorists have suggested that a second assassin stood at Kennedy's right rear and fired point-blank into the senator.

Citing expert testimony at Sirhan's 1969 trial, they point out that bullets which struck Kennedy behind the right ear and twice beneath the right arm traveled right to left and upward.

Coroner Thomas Noguchi's findings then are related by the skeptics to eyewitness accounts of where Sirhan was standing. They insist Sirhan fired eight shots from a distance while facing the senator.

If it then follows that Sirhan was not in a position to fire right to left at point-blank range, the doubters ask, who did? It must have been someone standing to Kennedy's right rear, they suggest.

And, who was there? In that spot was a private security guard hired by the Ambassador, a guard who later told police he had pulled his gun but did not fire when Sirhan opened

"To Kranz, however, the suggested position of the phantom gunman to Kennedy's right rear makes absolutely no sense, if—as most of the experts say—the Kennedy, Goldstein and Weisel bullets came from the same gun.

To make his point, the attorney relates the relative positions of Kennedy, Goldstein and Weisel, all in Sirhan's line of fire west to east in the pantry.

Weisel was standing about 27 feet east of Kennedy near the pantry's entrance. Goldstein was closer, about 8 feet from the senator in the same eastward direction.

Under those circumstances—and considering what the experts found—Kranz said, a second gunman would have had to shoot Kennedy, close up, from the right rear, and then turn and fire behind the senator, hitting Goldstein and Weisel—without being seen by anyone in the crowded pantry.

Aside from why a second assassin might want to do such a thing, Kranz concludes that "it's logically impossible."

As part of his reinvestigation of the Kennedy case, Kranz interviewed Thane Cesar, the private guard for Ace Guard Service who was standing near Kennedy.

"Well, why didn't you fire your gun?" Kranz said he asked Cesar. "You were there to protect Kennedy." The attorney said that Cesar replied that he was "a coward."

"He said he fell down, was getting

and had his gun out when someone came up to him and said, 'Put it away. It's no use.'"
Cesar told him, Kranz said, that a few hours after Kennedy was shot a police officer at Rampart Station examined his .38-caliber revolver, but the LAPD did not keep it to be test-fired.

That was a mistake, Kranz thinks, although he admits he and others are profiting from hindsight. Nevertheless, he believes it is important to examine the Kennedy investigation closely.

"I think you have to separate the fact that the evidence shows conclusively that Sirhan acted as the one gunman from the problems that developed after the shooting and Sirhan's apprehension," he said.

In Kranz' view, the LAPD did an "excellent job" in probing whether Sirhan might have been part of a conspiracy but "sloppy" scientific work, mistakes and poor judgment led to questions about the entire investigation. Kranz is specifically critical of LAPD criminalist DeWayne A. Wolfer, who mismarked bullet evidence introduced at Sirhan's trial and who used a substitute for Sirhan's gun to conduct muzzle-distance tests.

He also criticizes what he considers to be a lack of sufficient written reports showing what Wolfer did in evaluating physical evidence in the Kennedy case.

The "second gun" hearing before Wenke produced testimony that a search of LAPD files failed to disclose analyzed evidence reports on bullets taken from the five victims other than Kennedy.

It also was reported that there were no reports on X-rays of ceiling panels taken from the pantry or spectrographic analysis of evidence bullets, both of which Wolfer testified he might have made.

"Here you have a major aspect of the prosecution's case which isn't substantially documented," Kranz said.

In Kranz' opinion, the lack of records made even worse the LAPD's destruction of bullet-punctured ceiling panels taken from the Ambassador pantry.

Asst. Police Chief Daryl Gates told the Los Angeles City Council last August that the panels had been routinely destroyed in 1969, within weeks after Sirhan's trial had ended.

"Legally," Kranz said, "it was not evidence that was destroyed. The panels were not introduced as evidence at the trial. I just think that it was lack of judgment. It was a lack of common sense and inexcusable because the case had worldwide magnitude."

More importantly, Sirhan had been convicted and his appeal was not even in prospect yet. Potential evidence should never be destroyed until the entire case has run out.

"What the hell were these things destroyed for?"
"That borders on Catch 22 insanity. It was just like they were opening up the doors to total criticism and doubt. There's no way it can be explained."

Kranz thinks the same thing about the destruction of a substitute revolver used for muzzle-distance tests because Sirhan's gun had been introduced as evidence in a grand jury hearing.

He believes the substitute Iver-Johnson should not have been used in the first place, but since it was, it should have been saved from routine LAPD destruction, even if a court order was required to do it.

"It was wrong," Kranz said. "It was just idiotic. There's no excuse or explanation that justifies why it was done, especially in the aftermath of the lack of faith in government institutions these last several years."

"You can't go into a supermarket without reading about conspiracy. Every talk show in town has orchestrated this into the new entertainment—assassination fever."

"Public agencies that refuse to use good judgment and sense in giving rational explanations are just undermining their own credibility."

In that respect, Kranz plans to recommend in his final report that the LAPD release a 10-volume summary of the Kennedy investigation, with personal histories edited out.

"It again makes no sense to keep these things private because all they do is undermine people's faith in law enforcement and public agencies," he said.

"If you're going to have secret reports issued to representatives of the people, then why shouldn't they be made public?"

"I understand that files on terrorism, sabotage and threats to lives and property need to remain secret, but these 10 volumes are not that."

"This secret report and the unexplained timing of the destruction of those ceiling panels just continue to fan the fires of doubt."

Kranz still asks questions himself about at least one aspect brought out at the "second gun" inquiry, estimated to have cost Los Angeles County taxpayers about \$150,000.

Studying Sirhan's revolver before firing it, the experts found that its barrel had been severely coated with lead. After firing copper-jacketed bullets through it, the barrel was free of lead.

The mystery is how did the barrel become leaded, if copper-jacketed bullets of the type fired by Sirhan had the effect of cleaning the barrel.

It is known that Sirhan fired eight copper-jacketed bullets in the pantry, LAPD Criminalist Wolfer fired eight similar bullets into a water tank, recovering seven, which were introduced as evidence.

No other shots were supposedly fired from Sirhan's gun until the experts examined it.

Where then did the lead in the barrel come from?

Under cross-examination, the chairman of the panel of experts, Patrick V. Garland, was asked whether he thought someone fired uncoated lead bullets through Sirhan's gun sometime between Wolfer's test-firing and when the experts examined it.

"Yes, sir," Garland replied.

For Kranz, his final report to the district attorney will mark a closing of a chapter of his life which began more than seven years ago when he first heard balloon-popping sounds from the Ambassador pantry.

Kranz, a volunteer worker for Kennedy's California campaign for the Democratic presidential nomination, was in the Embassy Room where Kennedy had just spoken. He had a transistor radio in his pocket at the time.

"My first reaction was, 'Well, it's just a celebration of something.' And, then I heard screaming, and the screaming was like cheers and several seconds later, more.

"Then, more cheers that I felt sounded strange, and I realized they were screams. They were really screams of panic.

"The next thing was someone up there on the microphone saying, 'Is there a doctor in the house? Is there a doctor?' It just kept going over and over.

"Within maybe a minute, the radio came on and the agony was knowing he had been shot. I sensed then that he was dead.

"What I hope is that my final report will cut through all of that and provide a realistic picture for the public."



Thomas Kranz

(Mount Clipping in Space Below)

2nd Man in RFK Case Disputed

Attorney Thomas Kranz, appointed last August to investigate the assassination of Sen. Robert F. Kennedy, said he is "totally convinced that convicted killer Sirhan B. Sirhan acted alone."

Kranz said he is preparing a report for Dist. Atty. John Van de Kamp that will state there was no second gunman in the Kennedy assassination.

The attorney said that based on scientific evidence, circumstantial evidence, inference, observations from eyewitnesses and common sense, "there was no second gunman."

After refiring Sirhan's weapon last fall, a panel of seven experts reported there was no substantive or demonstrable evidence to indicate more than one gun was used to fire any of the bullets examined.

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RFK ballistics tests called inconclusive

By Meg McCormack
DB Staff Writer

"The conclusion of the seven ballistics experts in the RFK assassination case has not laid to rest the theory of the 'second gun,'" according to Allard K. Lowenstein, ex-Democratic Congressman from New York.

Lowenstein, a longtime investigator into the Kennedy assassination cases, was one of those chiefly responsible for reopening the investigation into Kennedy's death. Several discrepancies between the testimony of eyewitnesses and the police reports were brought to Lowenstein's attention four years ago.

Discrepancies

Some of the discrepancies cited by Lowenstein include:

—The autopsy performed on Senator Kennedy established that Kennedy was shot 3 times from point blank range. The fatal bullet entered Kennedy's head from a distance of one to one and a half inches. The consensus of eyewitness testimony places Sirhan Sirhan's gun no closer than two to three feet from Kennedy at the time the gun was fired.

—Sirhan's gun could and did fire eight bullets. Five bullets were recovered from bystanders, and two were recovered from Kennedy. One bullet is officially listed as "lost in the ceiling interspace." The LAPD removed three panels from the ceiling and booked them as evidence because they contained bullet holes. These panels later mysteriously "disappeared."

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At the time of the assassination at least one more bullet was reported found in the pantry. An AP wirephoto taken on June 1, 1968 shows two policemen examining what people closest to the shooting gave this statement in his testimony: "I have told the police ... that there was a distance of at least one and a half feet between the muzzle of Sirhan's gun and Kennedy's head. The revolver was directly in front of my nose. After Sirhan's second shot, I pushed the hand that held the revolver down, and pushed him onto the steam table. There is no way that the shots described by the autopsy could have come from Sirhan's gun."

As the past two presidential elections have been marred by assassinations and assassination attempts, Lowenstein feels that it is crucial that any group or groups devoted to such violence be uncovered. Recent connections of the CIA with planned assassinations of foreign leaders open speculation that events such as these could occur internally, Lowenstein feels.

The ballistics experts report that was released by Judge Robert Wenke stated the bullets examined by the panel could "not be concluded" to have been fired by the Sirhan revolver.

Not Investigated

Many of these discrepancies, which first appeared in an article by Lowenstein on May 4, 1974, have still not been investigated.

Lowenstein, however, was not disappointed by the findings of the ballistics panel. "I had no prejudgements as to what they would find."

He added there had been a lack of cooperation on the part of the police. "God, yes, there was resistance. The investigation took two years to happen. The police commissioner still hasn't turned over needed evidence. And resistance adds to the sense that there is something to hide."

hanging menace

"If that group exists, clearly there is a menace hanging over our heads all the time. If they exist at all, no one is looking for them," Lowenstein said. He hopes that the JFK case will be re-opened, citing that 12 marksmen have as yet failed to reproduce Lee Harvey Oswald's shot — even when the demonstration car was standing completely still.

"There are explicit allegations in the Warren Commission report that are totally unsupported by their own evidence," Lowenstein said. He feels such an investigation would be properly handled by a government agency, as he has been "nearing bankruptcy" in pursuit of the investigation.

Lowenstein described his chief motivation for investigating the assassinations. "If you are always telling people to vote, and there is a group interrupting this, then there is no democracy."



Allard K. Lowenstein

(Mount Clipping in Space Below)

Judge Delays Decision on Further Kennedy Inquiry

Hints Proceeding Should Not Be Continued and Suggests Civil Action Might Be Appropriate

BY WILLIAM FARR and JOHN KENDALL
Times Staff Writers

Superior Judge Robert A. Wenke deferred action Wednesday on a petition to extend the "second-gun" inquiry into the assassination of Sen. Robert F. Kennedy.

Wenke, the presiding judge of Los Angeles Superior Court, gave attorneys three weeks to file responses to points raised during three hours of arguments.

However, he indicated that he felt the unusual discovery-type proceeding over which he has presided since September should not be continued. He suggested a civil action seemed more appropriate.

Both Dep. Dist. Atty. Dinko Bozarrich and Dep. Atty. Gen. Russell Lungerich questioned whether the court has jurisdiction to probe further in an investigative way questions raised by skeptics of the Kennedy investigation.

Lungerich charged that the petitioner, Paul Schrade, wanted to use the court as a "roving commission" and suggested that Schrade, one of five persons wounded when Kennedy was fatally shot, wanted to create doubt, not eliminate it.

Some individuals, he said, have demonstrated an "insatiable appetite to pursue a red herring," at taxpayers' expense when "any rational human being" would concede the hearing had "gotten to the bottom of it."

"There is no doubt that Sirhan acted alone," Lungerich declared.

The deputy attorney general cited the findings of experts appointed to examine physical evidence introduced at Sirhan B. Sirhan's trial. The panel refuted Sirhan's gun.

In examining Sirhan's .22-caliber Iver-Johnson Colt, Lungerich said, experts found barrel imperfections that left marks in testing that were similar to those discovered on both evidence and test bullets.

For there to be a second gun, he said, another .22-caliber Iver-Johnson Colt with those same "unique" imperfections would have had to be in the gallery firing when the senator was shot.

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III-9 LOS ANGELES
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Since Sirhan acquired his gun without a permit, Jungreich continued, a second gunman would have had to acquire an identical revolver from another source and be in the Ambassador firing at the same time.

Yet, he said, not a single witness in that crowded pantry saw the flash of a second gun or heard it.

"That boggles the mind in terms of the probability that that could happen," Jungreich concluded.

Sirhan's attorney, Godfrey Isaac, said that his client has no knowledge of a second gunman.

"Sirhan has no memory of that night," Isaac said. "All he wants to find out is whether he shot and killed Sen. Kennedy. If he did, so be it."

Schrade's attorneys, Vincent T. Bugliosi and Allard K. Lowenstein, took the position that since the court assumed jurisdiction in retiring Sirhan's gun it has jurisdiction to examine further questions.

The new area that Schrade wished to pursue was how many shots were fired in the Ambassador pantry on June 5, 1963, and their pathways.

In Schrade's action, he is seeking to call persons who saw the holes that may have contained bullets or had been told the holes had bullets in them.

(Mount Clipping in Space Below)

Expansion of RFK Mini-probe Falls Into Limbo

Expansion of the Superior Court mini-probe into Sen. Robert F. Kennedy's assassination appears a remote possibility today, although final ruling on a petition to hear new evidence was continued into the new year.

Presiding Judge Robert A. Wenke said he will rule after Jan. 21, on a petition by attorneys Vincent P. Bughosi and Allard Lowenstein asking the court to take testimony of police officers and others who claim knowledge about extra bullets fired when the senator was slain in the Ambassador Hotel pantry June 5, 1969.

Lowenstein and Bughosi represent Kennedy campaign aide Paul Schrade, who joined Columbia Broadcasting System last year in a petition to re-examine firearms evidence used in conviction of Sirhan B. Sirhan for the murder.

Judge Wenke indicated he could find no authority to extend the court inquiry beyond the recently completed examination of the Sirhan trial exhibits by seven ballistic experts who concluded there was no evidence of a second gun being used in the assassination.

He suggested Schrade seek information about any extra bullets, which could indicate a second gunman or conspiracy through pre-trial discovery proceedings in the civil damage suit Schrade filed before joining the mini-probe petitioners.

Bughosi, who admitted an expanded probe should bear the responsibility of the District Attorney, said Schrade lacks funds to continue the investigation.

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Kennedy Case Study Extended

By United Press International

A search of the Los Angeles hotel area where Robert Kennedy was killed turned up no evidence of new bullets or bullet holes. But the district attorney is not ready to give up a reinvestigation of the 1968 assassination.

"We will pursue every avenue, including the potential use of the grand jury," John Van de Kamp told reporters Friday after an overnight search of the pantry area of the Ambassador hotel.

Van de Kamp said officers found no evidence that any gun besides the weapon taken from convicted assassin Sirhan Sirhan was fired at Kennedy the night he won the California Democratic primary.

"The evidence we have now does not establish there was a second gun," he said.

"No spent bullets or fragments were found in the search. No tangible evidence of previous spent bullet presence was found."

Van de Kamp said he probably would oppose efforts to extend court hearings by Judge Robert Wenke, which are directed at evidence presented during Sirhan's trial. But he indicated he would support moves to expand the inquiry in other areas.

"We are happy and willing to go into some other forum," he said, mentioning a civil case and a grand jury.

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Van de Kamo said criminologists who searched the hotel restaurant that the object in a picture door frame pointed at by two policemen in a photograph taken several hours after the shooting was a nail, not a bullet.

Deputy District Attorney Stephen Trott, who led the hotel search, said police had not removed and destroyed that frame, as they had some others.

Former deputy District Attorney Vincent Bugliosi, now a private attorney representing one of five persons wounded in the shooting, had contended the presence of a bullet in the hole would prove the existence of a second gun.

The criminologists also examined the wood under siding removed around other door frames after Kennedy's shooting and found no evidence that bullets had been fired into them, Van de Kamo said.

(Mount Clipping in Space Below)

Probe Backs I-Gun Belief in RFK Death

Thursday night's search of the Ambassador Hotel by police has not yet found another support to the belief that the gun was used in the assassination of Robert F. Kennedy, according to Dist. Atty. John Van de Kamp.

Discussing the results of the 12-hour probe, Van de Kamp yesterday listed three main findings:

- No spent bullets or fragments were found.
- No tangible evidence of there being any bullet fragments was found.
- The object being pointed out by two policemen in a 1966 Associated Press photograph of a door appears to have been a nail which still is lodged there.

Although he admitted there had been little expectation of finding anything new, Van de Kamp said the search was just a part of "pursuing every conceivable lead."

He added, "It may not be possible to resolve every lingering doubt . . . but we'll try."

The District Attorney said part of the wood from a center divider between double doors in the Ambassador's kitchen area had been removed Thursday night for laboratory analysis. The indentation in the piece of wood, however, does not appear to have been made by a bullet.

Experts also will be reviewing about 5½ hours of videotape made during the hotel examination. That tape will be made available to the press as soon as possible, Van de Kamp said.

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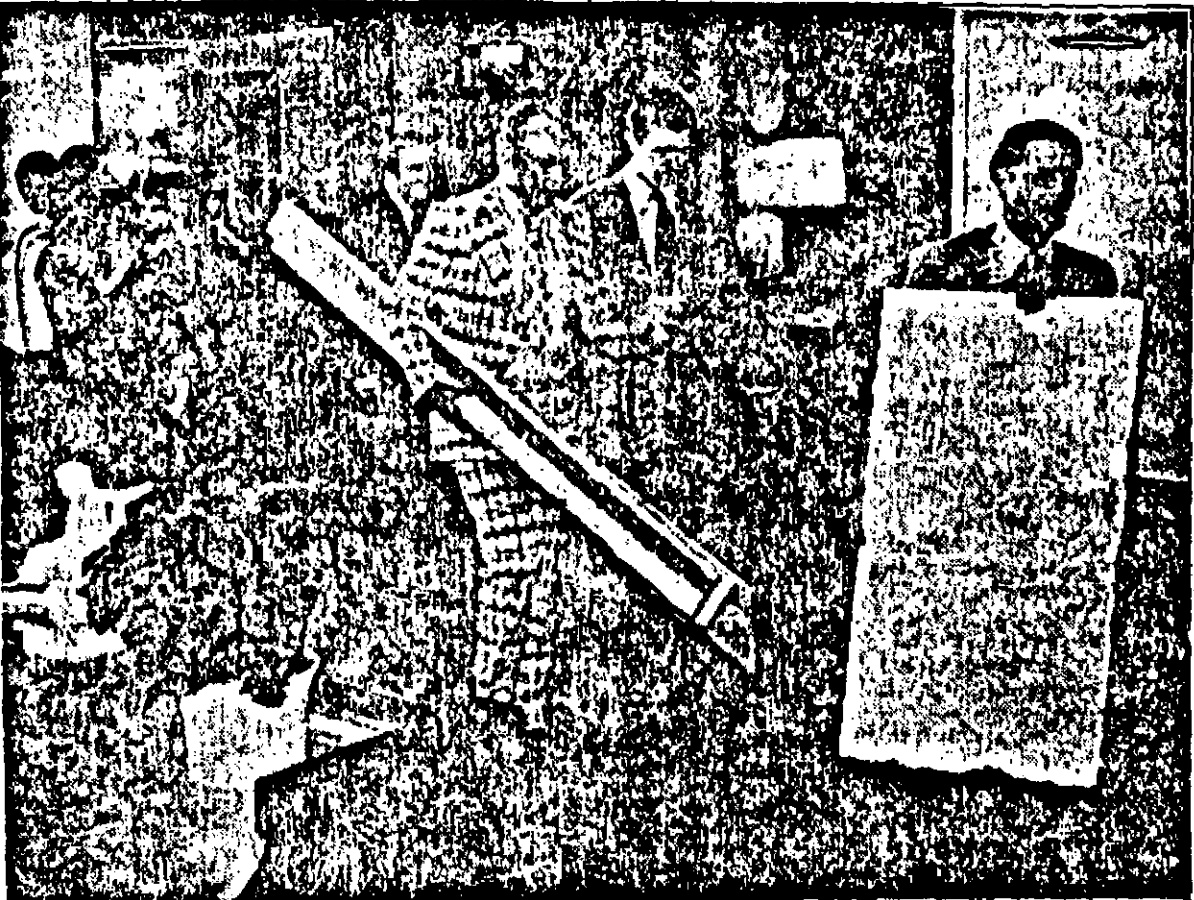
The police conducted an investigation based on a story of statements by two police officers and two others who said they saw what appeared to be bullet holes in wooded areas of the pantry where Kennedy was shot.

District Attorney investigators also talked to two carpenters, formerly employed at the Ambassador, who also said there appeared to be bullet holes in the 2 1/2-inch facing on the center divider after the murder.

Van de Kamp said Los Angeles police destroyed the wood facing routinely after apparently determining it was not relevant to the investigation. Since the original undriving wood was still intact, it was decided to see if it showed any evidence of bullets, he explained.

In a related development, Superior Court Judge Robert Wenke has scheduled a hearing for Dec. 21 on a petition to extend the hearings dealing into the theory that a second gun was used in the assassination.

(Mount Clipping in Space Below)



MORE CHECKING—Donald Hale, left, and Richard [unclear] of LAPD carry two pieces of wood removed from front and back of the Scientific Investigation Division Ambassador pantry for detailed examination.

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(Mount Clipping in Space Below)

CRIME PROBERS RECHECK PANTRY IN RFK SLAYING

By AL ALBERGATE

Herald-Examiner Staff Writer

Dist. Atty. John Van de Kamp sent a team of criminologists to the Ambassador Hotel pantry in a surprise expansion of his reinvestigation of the Robert F. Kennedy assassination there in 1968.

About 30 investigators from city, county and state agencies worked into the early morning today in a detailed reexamination of the pantry where Kennedy was gunned down.

Sirhan B. Sirhan was convicted of being the lone gunman, but several people have continued to maintain that a second gun was used in the pantry, among them Paul Schrade, a Kennedy aide who was wounded in the hail of gunfire.

Schrade's attorney, Vincent Bugliosi, contends there is "solid ... but not conclusive" evidence that more than eight shots were fired on the night of the assassination.

Police have maintained Sirhan fired all eight shots from a .22 revolver, and that they have accounted for all but one, which "was lost somewhere in the ceiling interspace" of the pantry.

The reexamination of the pantry, ordered by Van de Kamp last night, was aimed at either proving or discarding the theory that there were more than eight bullets holes in the pantry.

The investigation started shortly after 6 p.m. and continued early this morning as the criminologists reportedly were examining the pantry with minute care. No word had come from the team as to their findings by early this morning.

(Indicate page, name of newspaper, city and state.)

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Van de Kamp announced "These statements... by the new probe late yesterday indicate the potential existence just before the team of in of four different bullet holes investigators descended on the in the area of the shooting of hotel pantry. Mr. Kennedy and others."

He said he had obtained a search warrant from Municipal Judge Clarence Stromwall after a new investigation into the assassination was prompted by statements "concerning the possibility that bullets were lodged in door posts." The probe was initiated as the result of interviews with two carpenters and a maitre d' at the hotel, Van de Kamp added.

The two carpenters, Dale L. Poore and Wesley S. Harrington, said in affidavits that they noticed two "apparent bullet holes" on a pantry door facing.

Poore said the bullets probably would have gone through the facing, which was removed after the assassination for investigation and subsequently destroyed by police after Sirhan's conviction, and lodged in underlying wood which remains in place.

Harrington added that he feels he can identify the underlying wood, if given the opportunity, due to various construction details he recalls.

The maitre d', Angelo Di Pietro, said in his affidavit that after the assassination he saw a bullet hole in a doorframe, about 5-foot-8 from the floor.

Affidavits from two police officers also were released yesterday by Van de Kamp. Officers Robert Rozzi and Charles Wright, who were in the pantry after the shooting, both said they saw an apparent bullet hole in the doorframe, located about 15 inches from the floor.

(Mount Clipping in Space Below)

Sirhan Gun Test Produces Mystery

Mystery surrounds the apparent firing of the gun used by convicted assassin Sirhan B. Sirhan during his trial in 1968 and the test firing this year.

The possibility of the unauthorized firing of the .22 caliber revolver by unknown persons was brought out in Superior Court here yesterday by attorney Vincent T. Bugliosi, acting for former Robert F. Kennedy campaign aide Paul Schrade.

The unauthorized firing theory is based on the leaded condition of the gun barrel when examined last month by a panel of firearms experts.

Patrick Garland, chairman of the panel which reexamined the gun, confirmed yesterday in court the probability it was fired sometime after police investigators had completed test firings in June of 1968.

No record exists since that time that the gun was fired prior to the court ordered re-firing last month and Garland testified the leading in the barrel must have come from bullets fired after the initial testing.

Bugliosi will attempt to further expand his Sirhan mini-probe next month after petitioning the court to admit evidence from persons who claim knowledge of additional bullets being fired when Sen. Kennedy was killed.

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FBI - LOS ANGELES	

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Sirhan's Gun Probably Fired Shots, Expert Says

BY JOHN KENDALL

Times Staff Writer

The seventh expert in the "second gun" inquiry testified Tuesday that it is "very probable" that Sirhan Sirhan's revolver fired bullets taken from the bodies of Robert F. Kennedy and two others.

Patrick V. Garland, firearms identification expert for Virginia's Bureau of Forensic Science, offered his opinion under questioning by Dep. Dist. Atty. Dinko Bozanich in a hearing before Superior Judge Robert Wenke.

Like six other colleagues who testified earlier, Garland did not positively identify the Sirhan .22-caliber Iver-Johnson Cadet as the death weapon.

He attributed his inability to make a positive identification to a lack of individual striations common to three victim bullets and test-fired bullets.

Garland concluded, however, that everything he found on three bullets taken from Kennedy and two others, Ira Goldstein and William Weisel, was consistent with the barrel of the Sirhan revolver.

What he found, he said, included gross imperfections—described as two furrows at the bottom of a land impression—apparently gouged by a damaged spot in the muzzle of Sirhan's gun.

Garland said he located that double gouge on the three evidence bullets and on both groups of test bullets fired by the Los Angeles Police Department in 1968 and by the experts in its recent study.

Moreover, Garland stated positively that the bullets taken from Kennedy, Goldstein and Weisel came from the same gun. Four other experts on the panel reached the same conclusion, directly or by inference.

In a joint report, the panel, headed by Garland, concluded there was "no substantive or demonstrable evidence" of a second gun.

Critics have continued to insist, however, that since the Sirhan gun

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90 DEC 18 1975	
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was not positively identified as the death weapon, the possibility of a second gunman remains.

Paul Schrade, one of the five victims wounded when Kennedy was shot at the Ambassador, is seeking to extend the inquiry to questions of how many shots were fired and their pathways in the hotel's pantry.

In support of Schrade's petition, attorney Vincent T. Bugliosi has offered reports of two LAPD officers and two others who worked for the Ambassador to suggest that 11 bullets were fired, three more than held by Sirhan's gun.

Essentially, the four said they either saw what appeared to be bullets embedded in wood in the pantry or were told that bullets had been dug out of wood at the scene.

Wenke scheduled a hearing on Schrade's motion for Dec. 31.

Bugliosi insisted Tuesday that the burden of showing how many shots were fired in the pantry now rests with the LAPD, Los Angeles County district attorney and the state attorney general.

The LAPD concluded that Sirhan fired eight shots, seven of which either wounded Kennedy, struck his coat or wounded five others.

DeWayne A. Wolfer, now civilian head of the LAPD's crime lab, said an eighth shot was lost in the ceiling interspaces of the pantry.

Wolfer's findings were again questioned Tuesday.

Garland described the barrel of Sirhan's gun as heavily leaded and blamed that condition for wiping out individual striations necessary to identify it as the death weapon.

Under questioning by Bugliosi, Garland said he did not know on what basis Wolfer positively identified evidence bullets as coming from Sirhan's gun.

Both Bugliosi and Bozanich pursued the question of how the barrel of Sirhan's revolver became heavily leaded when, so far as is known, 16 copper-jacketed slugs were fired through it until experts recently refired the weapon.

Eight of those shots were fired by Sirhan, according to authorities, and eight others were fired by Wolfer in test firing conducted in 1968.

Since the firing of copper-jacketed slugs tends to clean lead from a barrel, Bugliosi asked Garland how he accounted for the heavy leading in it when the experts received the gun for testing.

"Yes, sir," Garland replied, "I said before it was strange and I can't explain that."

Bugliosi asked the expert whether he believed someone fired uncoated lead bullets through the gun some time between Wolfer's test firing and when the experts examined it.

"Yes, sir," Garland said.

(Mount Clipping in Space Below)

Mystery Shots at RFK Cited

Los Angeles attorney Vincent T. Bugliosi has disclosed what he claims is evidence of one, and possibly two, mystery bullets at the scene of the Robert F. Kennedy assassination here in 1968.

Bugliosi and his client Kennedy aide Paul Schrade, who was wounded in the shooting at the Ambassador Hotel, revealed the evidence yesterday in a motion for a new Superior Court hearing.

At a news conference, the two men showed photographs and documents purporting that at least one and maybe two more shots were fired in the hotel pantry the night of the shooting.

Bugliosi said they were petitioning for the right to question police Sgts. Robert Rozzi and Charles Wright, who were pictured examining one supposed bullet hole in a doorjam near the pantry floor.

Bugliosi also offered a statement by Angelo Di Piero, then maître d' at the Ambassador, on his discovery of another supposed bullet hole in a wooden divider between two swinging doors.

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FBI - LOS ANGELES	

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New Panel in Kennedy Death Probe Urged

Schrade, Bugliosi Seek Extension of 'Second-Gun' Inquiry

BY JOHN KENDALL

Times Staff Writer

Appointment of a new panel of experts in the "second-gun" inquiry into the assassination of Robert F. Kennedy was suggested Tuesday in Los Angeles Superior Court.

Paul Schrade, who was also shot when Kennedy was fatally wounded, and lawyer Vincent T. Bugliosi held a press conference, then filed a 28-page petition with Superior Judge Robert A. Wenke containing the proposal.

Wenke, presiding Superior Court judge, presided over an inquiry by seven experts who examined bullet evidence in the Kennedy case and found "no substantive evidence of a second gun."

Critics contended, however, that since experts did not positively identify bullets that hit the victim as coming from Sirhan's gun, the question of a second gunman in the Ambassador's pantry seven years ago remains open.

Another hearing is scheduled for Dec. 16 to cross-examine a seventh expert about his findings. Bugliosi proposes to ask Wenke then to approve appointment of a ballistics panel to study the number of shots fired and their pathways.

Schrade's petition maintained that a new ballistics examination would not be an expansion of the current inquiry but would be an extension of the "second-gun" investigation that led to test firing Sirhan's gun.

Bugliosi told a Greater Los Angeles Press Club press conference that the court also would be asked to permit the questioning of several witnesses and to order the release of official police records.

The former Charles Manson prosecutor said statements he had obtained from a Los Angeles Police Department sergeant and a former Ambassador maître d' were at the "heart" of Schrade's position.

Bugliosi read from a statement signed by Sgt. Robert Rozzi in which the officer said that after Kennedy was shot he saw what appeared to be a bullet lodged in a door jamb at the Ambassador.

If Rozzi saw a bullet, the attorney said, it would be a ninth slug not accounted for in the July, 1968, LAPD report of what happened to the eight shots fired from Sirhan's gun.

He said a possible 10th bullet is suggested by a statement he secured from Angelo D'Amico, a former Ambassador maître d' and now director of operations at the Palladium in Hollywood.

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According to DiPierro's statement, DiPierro saw a small-caliber bullet lodged in a wooden divider between two swinging doors leading into the pantry where the senator and five others were shot.

Bugliosi insisted that while statements by Rossi and DiPierro were not "100% conclusive evidence," the inquiry had developed "solid, substantial evidence of a second gun."

The Schrade petition described the LAPD's version of the bullet pathway as "shamefully superficial" and contended that "no case would possibly call for a ballistic examination more than this one."

The petition asked the court to order the Police Department to produce all records and analyses of all ceiling panels, center dividers, door jams or anything else examined in the pantry area.

Bugliosi castigated the LAPD for destroying ceiling panels and a door jamb taken from the Ambassador. He said all possible evidence should be kept in a case, even if it is a truck.

Schrade pointed out that the 2nd District Court of Appeal had sharply criticized LAPD criminalist DeWayne Wolfer's handling of evidence in another case.

"I think new light comes into this case that we're dealing with an incompetent crime lab and Police Department," he said.

Asked whether he thought there had been an official conspiracy to conceal the possible existence of more than eight bullets, Bugliosi declined to answer directly.

"All I can tell you is this," he said. "The more I get into this case the more I see things I don't like. I think you can draw certain inferences from that."

(Mount Clipping in Space Below)

Kennedy Death Probe Panel Dissolves Itself

By United Press International

The Los Angeles City Council committee formed to investigate the police handling of the assassination of Sen. Robert Kennedy dissolved itself Tuesday. It reached no conclusions and made no report.

The committee was formed at the height of the "second-gun" controversy when there was speculation that someone in addition to convicted assassin Sirhan Sirhan fired a gun in a hotel kitchen when Kennedy was killed in 1968.

In a court action, a panel of firearms experts from around the nation later concluded that there was no evidence to support the "second-gun" theory.

The council's probe was aimed at determining whether the assassination investigators had lost, overlooked or otherwise mishandled evidence. It ran into resistance from the police department and its governing body, the Police Commission.

The council demanded the complete confidential police file on the investigation. The commission said making the files public would violate the privacy of some persons mentioned and reveal investigative procedures.

The commission finally agreed to provide written answers to written questions.

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ORIGINAL TO THE BUREAU

Councilman Zev Yaroslavsky, who initiated and pushed the council probe, said he would continue investigating on his own. "There has been no investigation" by the council committee, he complained. "I'll handle this thing my own way ... with other people who are concerned."

Assistant Police Chief Daryl Gates told the committee, before it voted to disband itself, "I see a lot of reasons not to reopen the case. It's very time consuming to go over this time and time again."

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DE KAMP RSUES KILLERS

De Kamp, the newly appointed Attorney of Los Angeles, let it be known that if there is any possibility that there are still RFK killers at large, he will go after them.

Using all of the resources available to the Los Angeles Attorney's Office, D.A. Van de Kamp told Special Attorney Thomas that he would close the case out on the basis of the nagging questions, until all of the nagging questions and suspicions have been satisfactorily answered.

Following action where his rhetoric was a week Van de Kamp directed Kranz to call the various ballistics experts back to court so that their findings could be further scrutinized.

According to an October 21st news release issued by press secretary Jay Berman, cross examination of the seven experts, who reportedly found no direct evidence of the use of a so-called "second gun" in the June 5, 1968 assassination of Senator Robert Kennedy at the Ambassador Hotel, was slated to resume as of Tuesday, October 28th at 9:00 a.m. in the court of Superior Court Judge Robert Wenke.

"At my direction, special counsel Tom Kranz has requested that the experts whose reports have been filed called for examination in open court.

"We want to insure that the findings are accurate," Van de Kamp declared.

"The original court order called for the cross examination of the experts.

"When these experts agreed in essence that only one gun fired the bullets, many of the parties to the case lost interest in pursuing the issue.

"I understand that attitude, but I think it's important that these witnesses be tested in a traditional adversarial setting," Van de Kamp explained.

"The pursuit of the truth is the goal of the court, and it's our goal too," Van de Kamp added.

It is true, as the District Attorney's Office press release reminds us, that in their October 4th report the experts said that "There is no substantive or demonstrable evidence to indicate that more than one gun was used to fire any of the bullets examined."

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NEW ROUND IN RFK CASE?

Critics of the lone killer theory of Sen. Robert F. Kennedy's assassination will seek today to expand a court-ordered, ballistics probe which rejected the so-called "second gun theory."

One-time District Attorney's prosecutor Vincent T. Bugliosi, in an eleventh hour appearance yesterday made it plain he will use the cross-examination of ballistics experts who conducted the probe as a launch pad for an expanded investigation.

Bugliosi appeared as new counsel for ex-Kennedy campaign aide Paul Schrade and the Columbia Broadcasting System filed the petitions which led Superior Court presiding judge Robert A. Wenke to order the recent re-examination of ballistics evidence from Sirhan B. Sirhan's murder trial.

Seven firearms experts spent weeks working on the evidence and refired Sirhan's revolver.

The panel of experts issued a joint report last month that indicated no evidence exists of a second gun being fired in the Ambassador Hotel pantry June 5, 1968, when the senator was gunned down at a presidential primary victory party.

Schrade immediately questioned the validity of the experts' findings and called for further investigation.

Bugliosi said yesterday that further tests are indicated because there is evidence of more bullet holes than there were cartridges in Sirhan's gun.

Schrade and six others were wounded in the fusillade of shots that killed Sen. Kennedy.

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Judge Rejects Ex of Robert Kenne

BY JOHN KENDALL
Times Staff Writer

Superior Judge Robert A. Wenke rejected a move Wednesday to expand the Robert Kennedy "second-gun" hearing to include new allegations about the number of shots fired when the senator was assassinated.

After three exhaustive days of examination of six members of a seven-member expert panel, Wenke concluded it would be "imprudent" for the court to approve such a motion offered orally.

Wenke did agree to continue the current hearing until Dec. 16 in order to examine Patrick Garland, chairman of the panel that examined evidence in the case last month.

Presumably, next month's hearing will close the inquiry, which Tom Kranz, representing the district attorney, estimates has cost taxpayers at least \$100,000.

However, there may be a new legal battle centered around reports that two Los Angeles police officers purportedly found in an Ambassador door jamb a hole they thought contained a bullet.

By inference, attorney Vincent T. Bugliosi has concluded that thus nine shots may have been fired when Kennedy was shot, one more than convicted assassin Sirhan B. Sirhan's gun held.

The door jamb report was used Wednesday by former New York Rep. Allard Lowenstein to support arguments for expansion of the hearing before Wenke.

The judge insisted, however, that any motion sought by Lowenstein and Bugliosi on behalf of victim Paul Schrade must be written, supported by points and authorities and presented in the usual legal way.

Schrade, a former United Auto Workers Union official wounded in the attack on Kennedy, said after the hearing he would pursue the matter

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in the manner Wenke directed. Bugliosi said he would continue to represent Schrade.

In arguing for expansion of the current hearing, Lowenstein said the critics had disavowed under a "vender of agreement" on what they found and what they recommend should happen next.

He insisted that if the police officers are not questioned about what they saw, "suspicions might grow again" and the situation should "not be allowed to fester for a month."

Kranz argued that the object of the "second gun" hearing had been accomplished through exhaustive test procedures and the inquiry should not be expanded.

In a joint report last month, the experts concluded there was "no substantive or demonstrable evidence" to indicate a second gun was used to fire any of the bullets examined.

Critics have insisted, however, that since the panel did not positively identify Sirhan's gun as the weapon that fired the evidence bullets, the possibility of a second gunman exists.

In the hearings that began Monday, six of the experts are being brought back to be cross-examined. Courtland Cunningham of the FBI and Ralph Turner of Michigan State University were questioned Wednesday.

Cunningham, chief of the FBI's firearms and tool mark unit in Washington, D.C., testified that the evidence bullets could have been fired from Sirhan's gun.

He said there were not enough individual characteristics on the victim bullets to permit a positive identification of the weapon.

Cunningham noted, however, that the Sirhan gun had two muzzle imperfections that were transmitted to test bullets and found on bullets recovered from Kennedy and two other victims.

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Expert All but Rejects 'Second Gun' Theory

Examiner in Robert Kennedy Inquiry Takes Stand for Cross-Examination

BY JOHN KENDALL

Times Staff Writer

Another round in the Robert F. Kennedy "second gun" inquiry opened Monday with an expert's insistence that he was 99% sure Sirhan Sirhan's pistol fired bullets into three victims, including the assassinated senator.

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Stanton O. Berg, a private firearms examiner from Minneapolis, admitted that all possibility of a second gun had not been eliminated by the findings of a seven-member, court-appointed panel of experts last month. But Berg insisted under cross-examination by former Charles Manson prosecutor Vincent T. Bugliosi that the purpose of the experts was to find evidence of a second gun, and they found none.

"I think it (a second gun) is a possibility," he said. "I think it's a very slim possibility. That's all it is."

His fellow experts were "surprisingly uniform" in their agreement, Berg said.

Pressed as to whether he thought more tests should be conducted, the Minnesota expert said he questioned "whether it was worth the effort."

Berg was cross-examined by a panel of attorneys, including Tom Kranz, the district attorney's special counsel in the Kennedy matter, and Jeffrey Isaac, representing Sirhan, Sirhan's mother, Mary, attended the hearing in the courtroom of Los Angeles Presiding Superior Judge Robert A. Wenke.

Five of Berg's colleagues on the panel of experts will be questioned today and Wednesday.

Bugliosi joined in the inquiry about a week ago representing Paul Schrade, who along with CBS successfully petitioned the court for a reexamination of bullet evidence in the Kennedy case.

Bugliosi notified the court Monday he was laying groundwork for a request for more study by experts. His questions suggested he would propose an inquiry into the number of shots fired in the Ambassador pentry eight years ago and the trajectory of the bullets.

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Sirhan Prober Named

Reappointment of attorney Thomas Kranz as a special consultant for the District Attorney on the review of the Sirhan B. Sirhan trial evidence has been approved by the Board of Supervisors for another 60 days.

Supervisor Kenneth Hahr made the motion yesterday but said he felt "every avenue has been explored" surrounding Sirhan's conviction for the assassination of Sen. Robert F. Kennedy in 1968.

Supervisor Baxter Ward said he felt the government had an obligation to find out everything it could in the Kennedy matter and he was willing to let the District Attorney retain the special consultant as long as it was necessary.

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Question of 2nd Kennedy Case Gun Raised Again

BY JOHN KENDALL
Times Staff Writer

Attorney Vincent T. Bugliosi raised the "second-gun" question anew in the Robert F. Kennedy inquiry Tuesday with statements attributed to two Los Angeles police officers and a former Ambassador employee.

The former Charles Manson prosecutor suggested that, by inference, his information added up to the "simple arithmetic" that there was more than one gunman firing in the hotel's pantry when Kennedy was fatally shot.

Bugliosi declared in a statement filed with Superior Judge Robert A. Wenke that:

—After the shooting, police Sgts. Robert Rozzi and Charles Wright examined in a hotel door a hole that appeared to contain a small caliber bullet.

—On June 6, 1968, the day after Kennedy was shot, Robert Alfeld, an assistant sound man at the hotel, and Paul Dozier, an electrician, found three .22-caliber casings in the pantry.

Bugliosi subpoenaed Rozzi, Wright and Alfeld to appear at Tuesday's hearing. However, Wenke rejected the attorney's move and said the current phase of the hearing is to hear experts who examined evidence last month.

The judge also told Bugliosi at the close of Tuesday's session that two remaining experts would be questioned today. Wenke said Bugliosi would have to file a motion for another hearing.

To Bugliosi, the significance of his offered information was that it suggested to him more than the eight shots in Sirhan Sirhan's gun were fired when Kennedy was shot, thus there must have been a second gunman.

His inference was based on the Police Department's findings that seven of the Sirhan bullets struck Kennedy or five others and one was lost in the ceiling interspaces. None was in a door panel and no extra casings were found.

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"Nobody should jump to any conclusions about what Mr. Bugliosi has brought to the court's attention today," said Tom Kranz, the district attorney's special counsel. "It's simply impossible to know at this point if there is any real significance to it."

Bugliosi's declaration included signed statements by Rozzi and Alfeld.

"What I observed was a hole in the doorjamb and the base of what appeared to be a small-caliber bullet was lodged in the hole," Rozzi said.

He also was quoted as saying that he and Wright were shown in a Police Department photograph pointing to the hole in the doorjamb and holding a ruler next to it.

In his statement, Alfeld related how he picked up three casings in the pantry and thought at first it was a "morbid joke." He said the casings were put in a desk that he shared with Dozier.

He had not thought about the casings again until he recently read a story on the Kennedy case in a Pasadena newspaper, Alfeld said.

Comdr. Peter Hagan, spokesman for the Police Department, declined comment on behalf of the department on Bugliosi's declaration.

However, in the past, criminalist DeWayne A. Wolfer, now head of the police crime lab, has said that holes had been found in a doorjamb at the Ambassador but no bullets were found in them.

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Shot Said Probably Sirhan's

By United Press International

The bullet that killed Robert Kennedy most likely came from Sirhan Sirhan's gun and further ballistics tests would not help resolve the so-called "second gun" debate, a forensic expert says.

Stanton O. Berg, member of a panel of seven independent experts who refired Sirhan's gun and examined bullet fragments taken from Kennedy's body, said in Los Angeles Superior Court Monday the odds were "up around 99 per cent" that the fatal bullet came from Sirhan's gun.

However, attorney Vincent Bugliosi said the question about the second-gun assassination theory was "still open" after Berg conceded there was a "very slim possibility" a second gun was used.

Bugliosi, the former deputy district attorney who prosecuted Charles Manson in the Sharon Tate murders and is now in private practice, was representing Paul Schrade.

Schrade, a former union official, was one of those wounded in the gunfire surrounding the assassination at the Ambassador Hotel in 1963.

(Indicate page, name of newspaper, city and state.)

Page 4 EVENING OUTLOOK
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In its unanimous joint report last month, the panel reached two principal findings:

- There was no substantive evidence to support the theory that a "second gun" was fired.

- At the same time, there was not sufficient evidence to say positively the bullets taken from Kennedy's body and wounded bystanders came from Sirhan's gun.

Because of the questions raised by the second conclusion, County Judge Robert Wenke asked the seven experts to return to explain their findings. Berg said that because of the conditions of the bullets it could not be said unquestionably that they came from Sirhan's gun.

"But I do not feel that additional tests will disclose anything we don't know or will change our findings," he added.

(Mount Clipping in Space Below)

Police Expert's Testimony in Kennedy Death Sought

BY WILLIAM FARR
Times Staff Writer

A special City Council committee decided Friday it wants a homicide expert from the Los Angeles Police Department to testify whether proper procedures "were or were not" followed in the investigation of Robert F. Kennedy's assassination.

This decision came after an hour of debate on what the scope of the committee's work would be.

No specific date for hearing the homicide expert's testimony was set but committee chairman Ernani Bernardi said he hoped the Police Department official would "be available in the very near future."

The vote was 4 to 1 in favor of asking the Police Department to send before the committee "the best expert, whatever his rank, familiar with homicide investigation procedures in 1968 . . . and someone who can tell us whether they were or were not followed."

Bernardi was joined by Peggy Stevenson, John Ferraro and Zev Yaroslavsky in supporting the request. In casting a no vote, Gilbert Lindsay made it clear he thought it was a "waste of time."

"All of the investigations of the John Kennedy and the Robert Kennedy assassinations have not changed a thing," Lindsay said, "and I don't think my constituents are too concerned about these investigative procedures."

The committee was created in mid September on a resolution authored by Yaroslavsky before a panel of court-appointed experts returned a finding that there was no "substantive or demonstrable" evidence that any gun other than convicted assassin Sirhan Sirhan's was fired the night Kennedy was slain at the Ambassador.

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Critics of the LAPD investigation had maintained that there were gross differences between a bullet taken from the senator's neck and another which struck bystander William Weisel in the stomach.

"I was not one of those saying there was a second gun," Yaroslavsky told his fellow committee members Friday, "but I feel that maybe if the investigation had been conducted differently, there would not have been a need to fire the Sirhan gun again or have the district attorney's office go into the matter all over again."

(Mount Clipping in Space Below)

Sirhan Confederates Breathe Easier After "Second Gun Theory" Is Strangled At L.A. County Courthouse

by Greg Roberts

Unless convicted assassin Sirhan B. Sirhan starts doing some meaningful and revealing talking, and mighty quick, official history of our time is going to report that Sirhan acted alone when he fired a handgun at Senator Robert F. Kennedy at the Ambassador Hotel on June 5, 1968.

That's right!

Just like the Los Angeles police, the District Attorney and the FBI have been telling us all along, the late Bobby Kennedy is no longer amongst the living because a "nut", armed with a cheap .22 caliber pistol, just happened to walk into a busy hotel kitchen pantry one hot summer election night and murder him.

It's as simple as that.

Or is it?

True, Bobby Kennedy's political enemies included Richard ("Tricky Dick") Nixon and organized crime elements of the Teamsters Union, but neither Nixon and his Watergate Plumbers Squad nor the national crime syndicate would try to kill him.

And, if the U.S. Central Intelligence Agency planned President John F. Kennedy's assassination, as Warren Commission critic Mark Lane charged at the time, it certainly wouldn't plan his brother Bobby Kennedy's assassination either.

Only the noisy, nutty, paranoid conspiracy buff followers of District Attorney Jim Garrison and his JFK assassination probe down in New Orleans, or its sympathizers, would come to believe that Bobby Kennedy was the victim of anyone other than that "crazy Arab".

But in 1970, retired Pasadena police criminalist William W. Harper took a look at the physical evidence in the RFK assassination. Harper acted partly out of his own curiosity and at the urging of others, including RFK assassination investigator Ted Charach.

Scientific photographs taken by Harper of the RFK assassination bullets indicated strongly that an RFK neck bullet (Exhibit No. 47 at Sirhan's trial) did not ballistically match another RFK assassination bullet, one recovered from victim Bill Weissel (Exhibit 54).

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Tranquility soon prevailed, however. During the next 45 minutes on KABC-TV, Howard K. Smith played tampered with any evidence, what was back an ABC-TV sound tape of the RFK assassination, and Smith counted 10 or 11 bullets each time he had the network Attorney's office, refused to test-fire the replay the sound tape.

Only in the wake of the infamous Smith began to realize that what he was Nixon Watergate scandal was enough reporting was not going to live with a one pressure put on Los County authorities, gunman theory.

subsequently forcing the Sirhan evidence reexamination, and that came nated by a lone nut, Lee Harvey Oswald," Smith then started reporting over about in late September of 1975.

By Oct. 4th, Los Angeles Superior and over again, and to this day we have Court Judge Robert A. Wenke received not heard the ABC-TV sound tape the so-called "Comprehensive Joint Report of the Firearms Examiners" in Sirhan Case No. A-233421.

As released to the news media on Monday, Oct. 6th by Judge Wenke, the Even Teddy Charach doesn't have it, or has not, to our knowledge, ever used it or cited it.

news media quickly flashed this quote As former New York Congressman Al around the world: lard K. Lowenstein has pointed out, if the Los Angeles police or District Attorney

"There is no substantive or demon- was willing to destroy ceiling panels, strable evidence to indicate that more who is to say that neither couldn't than one gun was used to fire any of the likewise destroy bullets or else neglect bullets examined." to at least find or report them.

And, at that, the Teddy Charach On the other hand, we have never pushed "second gun theory" was finally said that there was a "second gun" used strangled at the L.A. Courthouse, with in the RFK assassination. the establishment press pulling the rope as hard as it could.

But as honest as KNXT-TV, Channel 2 newsmen Bill Stout noted the next evening, Tuesday, Oct. 7th, the national news media neglected to inform the public that the experts also had said:

"It cannot be concluded that Exhibits 47, 51 (Stroff bullet) and 54 were fired from the Sirhan revolver."

They attributed this factor to the poor reproducibility of striae left on consecutively fired test bullets.

In other words, the experts felt that those bullets were too badly deformed to say for sure, but from what they had seen or actually examined, they did not feel that any of the bullets examined had come from another revolver other than Sirhan's.

All of this is assuming, of course, that more than 7 bullets were not fired during the assassination, or that perhaps four or five other bullets (making 11 shots) were not also found by authorities and then destroyed or else never discovered by investigators to begin with.

At the time of the assassination of Robert Kennedy, this reporter was sitting at home and watching the wrap-up of the ABC-TV network coverage of the California Democratic Party primary race on KABC-TV.

Network correspondent Howard K. Smith, just before ABC-TV had completely signed off, reported what he said was an assassination attempt on Senator Kennedy.

(Mount Clipping in Space Below)

7 RFK GUN EXPERTS FACE QUESTIONING NEXT WEEK

Superior Court hearings have been scheduled here next week to cross-examine the seven experts who found no evidence of a second gun in the 1968 assassination of Sen. Robert F. Kennedy.

Dist. Atty. John Van de Kamp yesterday directed special counsel Tom Kranz to have those experts whose reports have been filed called for examination in open court Oct. 28 and 29.

Earlier this month, the ballistics experts told Judge Robert Wenke there was no evidence that a second gun had been used in the Ambassador Hotel assassination for which murder, Sirhan B. Sirhan subsequently was convicted.

The panel of experts was formed as the result of a petition filed in Superior Court last August, and each member worked independently.

"The original court order called for the cross-examination of experts. When these experts agreed that only one gun fired the bullets, many of the parties to the case lost interest in pursuing the issue," Van de Kamp said.

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(Mount Clipping in Space Below)

Sirhan Gun Test Experts Will Explain Ruling

BY WILLIAM FARR
Times Staff Writer

The experts who concluded there was no evidence that a second gun was used in the assassination of Robert F. Kennedy will be brought back to Los Angeles Oct. 28 to tell how they arrived at their findings.

Dist. Atty. John Van de Kamp Monday announced his decision to have the panel of seven experts appear at a hearing on that date before Superior Judge Robert A. Wenke.

"I simply want to ensure that we explore every avenue in assuring that the findings are accurate," Van de Kamp said, adding that he had no reason to doubt the conclusion that no second gun was involved.

It was Wenke, the presiding judge of Superior Court, who ordered the reexamination of the bullet evidence in the case and the refiring of convicted assassin Sirhan B. Sirhan's gun.

Wenke took that step in response to petitions filed by CBS, Inc., and Paul Schrade, one of the five other persons wounded the night Kennedy was shot in the pantry of the Ambassador more than seven years ago.

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Thirteen days after the experts had begun a meticulous review of the firearms evidence, Wenke read their findings to a packed courtroom.

"There is no substantive or demonstrable evidence that more than one gun was used to fire any of the bullets examined," the experts said in their key conclusion.

Even Godfrey Isaac, who took part in the proceedings as Sirhan's attorney, said he thought the findings "have effectively laid the second-gun theory to rest."

Isaac's evaluation was echoed by Tom Kranz, the special counsel appointed by the then-acting Dist. Atty. John Howard to review the assassination controversy.

Van de Kamp noted, in making the announcement Monday, that "When the experts agreed in essence that only one gun fired bullets, many of the parties to the case and other concerned people lost interest in pursuing the issue."

"I understand that attitude," Van de Kamp said, "but before this matter is closed, I think it is important that those witnesses are tested in traditional adversarial setting in open court."

Van de Kamp also pointed out that Wenke's court order does call for cross-examination of the experts.

Prior to the evidentiary review by the experts, critics of the Kennedy assassination investigation had maintained there were "gross differences" on the bullet taken from the senator's neck and one that struck bystander William Weisel in the stomach.

This assertion was not supported by the experts. Despite those findings, some of the critics still contended that the "second gun question" was not answered by the experts.

These critics, including former New York Congressman Allard Lowenstein and American Academy of Forensic Sciences president Robert Joling, stressed the fact that the experts could not definitely say the bullets that struck Kennedy, Weisel, and another bystander, Ira Goldstein, were fired from Sirhan's gun.

The reason, the experts said, was that there are insufficient individual characteristics on each of the bullets to make a positive identification.

Informed Tuesday about the upcoming hearing, Schrade said he "welcomed" Van de Kamp's action and said he thought it was a good idea to have the questioning at a hearing open to the public.

Isaac said that he, too, would participate in the Oct. 28 hearing. "Although I do not anticipate any great revelation that would alter the previously announced findings, I think I owe it to Sirhan to have the matter covered fully," Isaac said.

Howard Privett, a Los Angeles lawyer representing CBS in the matter, could not be reached immediately for comment.

(Mount Clipping in Space Below)

LA To Quiz 7 Experts On Kennedy Gun Issue

By United Press International

Seven firearms experts who concluded two weeks ago that there is no evidence of a "second gun" in the Robert Kennedy assassination will return to Los Angeles next week to defend their findings in court.

Citing a need for the public to know the truth, District Attorney John Van de Kamp summoned the experts to a public cross-examination Oct. 28-29 before U.S. District Judge Robert A. Wenke, who ordered their examination of evidence in the case.

"When the experts agreed in essence that only one gun fired the bullets, many of the parties to the case lost interest in pursuing the issue," Van de Kamp noted.

"I understand that attitude, but I think it's important that these witnesses be tested in a traditional adversarial setting.

"The pursuit of the truth is the goal of the court. It's our goal, too."

The experts announced Oct. 6, after a meticulous two-week study of ballistic evidence including the .22-caliber revolver fired by Sirhan Sirhan the night of the 1968 California primary, that there was "no substantial or demonstrable evidence that more than one gun was used."

They discounted assertions that there were "gross differences" on the bullet taken from Kennedy's neck and bullets that struck bystanders at the Ambassador Hotel, but said there was insufficient evidence to say positively that all the bullets were fired from one gun.

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Some critics, including former New York congressman Allard Lowenstein, have suggested since then that the "second-gun question" was not answered by the findings.

Van de Kamp said he personally has no reason to doubt the experts' conclusions.

"I simply want to ensure," he said, "that we explore every avenue in assuring that the findings are accurate."

(Mount Clipping in Space Below)

7 RFK GUN EXPERTS FACE QUESTIONING NEXT WEEK

Superior Court hearings have been scheduled here next week to cross-examine the seven experts who found no evidence of a second gun in the 1968 assassination of Sen. Robert F. Kennedy.

Dist. Atty. John Van de Kamp yesterday directed special counsel Tom Kranz to have those experts whose reports have been filed called for examination in open court Oct. 28 and 29.

Earlier this month, the ballistics experts told Judge Robert Wenke there was no evidence that a second gun had been used in the Ambassador Hotel assassination for which murder, Sirhan B. Sirhan subsequently was convicted.

The panel of experts was named as the result of a petition filed in Superior Court last August, and each member worked independently.

"The original court order called for the cross-examination of experts. When these experts agreed that only one gun fired the bullets, many of the parties to the case lost interest in pursuing the issue," Van de Kamp said.

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2nd-Gun' Question Not Settled, Probe Critics Say

Critics of the investigation of the Robert F. Kennedy assassination contended Wednesday that the "second-gun" question was not answered by experts appointed to examine bullet evidence in the case.

They told a Greater Los Angeles Press Club news conference that elements of the news media have improperly interpreted the conclusions of the expert panel released Monday.

In sum, their position was that misinterpretations have created the impression that there no longer is a possibility of a second gunman and no remaining questions of merit.

"They have not been answered," said former New York Congressman Allard Lowenstein.

Lowenstein was joined at the press conference by Robert J. Joling and Paul Schrader, one of five other victims shot when Kennedy was fatally wounded at the Ambassador seven years ago.

Joling, president of the American Academy of Forensic Sciences, read a statement by Lowell W. Bradford, one of the seven experts who studied the bullet evidence.

Bradford maintained that if there are other questions, such as how many bullets were fired in the pantry the night Kennedy was shot or their pathways, they deserve systematic analysis.

The criminalist said the firearms examination simply closes one episode of evidence evaluation and should not constrain future efforts to resolve questions about the possibility of a second gun.

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Page 121
3

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Schrade declared he was satisfied with the scientific work of the expert panel, formed in response to a Superior Court petition that he filed in August and was joined in by CBS.

"It's my opinion that in great part the second-gun theory has been refuted," Schrade said. These bullets that have been under investigation most likely came from the Sirhan gun. Doubt has been reduced by these tests but not eliminated."

Joling, who said he was speaking as an individual, considered that a "giant step forward" had been taken in scientific investigation and should not be dropped.

He, along with Bradford and Lowenstein, favored more tests.

Joling suggested further scientific tests could include a photographic reconstruction of the assassination scene, a reexamination of bullet pathways and a determination of how many shots were fired.

Lowenstein noted that the Los Angeles Police Department had destroyed bullet-punctured ceiling panels taken from the Ambassador.

He suggested a test using a similar panel to duplicate the action of a bullet that was said to have pierced a ceiling panel, ricocheted off a ceiling, penetrated another panel and struck a victim.

"I want to know whether a bullet can do it," he said. "I'm open minded on it but I think that test is crucial."

Lowenstein admitted that it was possible that scientific investigation might not produce a definitive answer to all questions in the end.

"But," he said, "it's possible that by continuing to eliminate more and more questions effectively, we will arrive at a consensus as to what occurred, based on expert study."

When hearings were held before Superior Judge Robert A. Wenke last month, the first narrowed the scope of the hearing mostly to consideration of the bullet evidence.

Wenke resisted attempts to expand the experts' job into consideration of the number of bullets fired or their trajectories.

When the experts went to work, one of the questions they were told to consider was: "do the exhibits in any way support a conclusion that a second weapon was fired at the time of the assassination?"

Their answer, offered in a joint report, was:

"There is no substantive or demonstrable evidence to indicate that more than one gun was used to fire any of the bullets examined."

Critics claimed that response did not rule out the possibility of a second gun because the experts could not positively identify any of the evidence bullets as coming from Sirhan Sirhan's revolver.

Thus, according to their reasoning, it follows that bullets taken from Kennedy, William Weisel and Ira Goldstein could have been fired from a weapon other than the convicted assassin's.

Each of the experts filed individual reports and none found enough individual characteristics on the Kennedy, Weisel and Goldstein bullets to say they came from Sirhan's gun.

However, Cortlandt Cunningham of the FBI in Washington noted that "gross imperfections" produced by Sirhan's revolver were found on the three bullets and on test bullets.

"While these imperfections are not sufficiently unique to be able to effect an identification, they do suggest that no other weapon was used," Cunningham found.

Patrick V. Garland, chairman of the panel and a Norfolk, Va., criminalist, also commented on class characteristics and those same "gross defects."

Based on these factors, and others, Garland wrote, "... There is no evidence to support a conclusion that more than one gun was used to fire any of the exhibits examined."

(Mount Clipping in Space Below)

Seven Experts Lay To Rest 2-Gun Theory in RFK Death

Persistent theories that a second gun was used in the 1963 slaying of Sen. Robert F. Kennedy apparently have been discredited by a report of seven independent ballistics experts.

The report, submitted to Superior Court Presiding Judge Robert A. Wenke yesterday, stated, "there is no substantive or demonstrable evidence to indicate that more than one gun was used to fire any of the bullets examined."

The report was a result of two weeks extensive study by firearms experts brought to Los Angeles and maintained at county taxpayer expense from as far away as Washington, Minneapolis, and Norfolk.

Re-examination of ballistics evidence from the trial of Sirhan B. Sirhan for slaying the senator was ordered by Wenke more than a month ago.

He acted on a petition filed by Columbia Broadcasting System and one-time Kennedy campaign aide Paul Schrader. The Board of Supervisors, District Attorney, state Attorney General and Sirhan's lawyer, Godfrey Isaac, later joined in the petition for a probe of ballistics evidence.

After the joint report was read in court, Isaac said, "I am forced to believe there was one gun."

He said the court-ordered re-examination, which included new test firing of the Sirhan gun, was a "triumph for the law and our legal system," and he praised Wenke for taking the court's time to clear up the second-gun question.

Acting Dist. Atty. John Howard, who prosecuted Sirhan said:

"I would hope that this would lay to rest the divisive and destructive rumors surrounding the investigation and prosecution of this case."

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No 2nd Gun, Kennedy Case Panel Reports

No second gun.

That was the crucial conclusion Monday in a joint report of seven experts appointed to examine evidence in the assassination of Sen. Robert F. Kennedy.

The panel made no recommendations for additional types of testing in the physical evidence in the case.

For the moment, it appeared that the experts had put "the second-gun" theory to rest, but there will be further hearings to clean up details.

The panel's decision was read to a packed courtroom by Superior Judge Robert A. Wenke, 13 days after the experts began their meticulous study.

"There is no substantive or demonstrable evidence that more than one gun was used to fire any of the bullets examined," the experts found.

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They also concluded:

—A bullet taken from the base of Kennedy's neck had two cannelures (concentric rings running around the bullet), not one ring as supposedly demonstrated in photographs taken in 1970.

—Bullets recovered from Kennedy's sixth cervical vertebra area and from victims Irwin Stroll, Ira Goldstein and William Weisel had similar characteristics of .22-caliber long-rifle bullets manufactured by Cascade Cartridges, Inc., of Lewiston, Ida.

—Preliminary measurements did not disclose any significant difference in rifling angles between the Kennedy neck bullet and a bullet taken from Weisel's stomach.

The panel also said they could not conclude that the bullet that struck Kennedy's neck and the bullets taken from Goldstein and Weisel were fired from convicted assassin Sirhan B. Sirhan's revolver.

The reason, they said, was that there are insufficient individual characteristics on each of the bullets to make an identification.

They attributed the poor reproducibility of striations to barrel folding, copper alloy coating, impact damage

and distortion, cylinder alignment and detail over intervening years.

The experts' conclusions effective points raised by skeptics who had in a growing chorus of doubt about fired in the Ambassador's pantry at Sirhan's attorney, Godfrey Isaac that the panel had "effectively put to rest."

Isaac's evaluation was echoed by special counsel appointed by acting to review the assassination controversy. "What is most significant about conclusion that no second gun was tragedy," Kranz said.

Both Kranz and Isaac praised the unique fact-finding hearing.

"I think the whole process tribute to the American system," said. "It was impressive to me of Los Angeles County really. We can all be proud."

Paul Schrade, one of the night Kennedy was shot on the outcome. His petition by CBS, Inc., led to the evidence.

Schrade's attorney, Melvin Belli, made his statement for a hearing today at the Greater Los Angeles Convention Center.

"It seems to be a little bit to make a definitive statement," Levine said.

"We believe it is important to have individual reports."

"If, in fact, only one truth is enormously relieved. the truth . . . and the reports did a thorough job."

The panel's findings are another special case. Pines, as a "complaint" by the Department's

"It will be gratifying to LAPD criminalist De Wayne Wolfer that his professional judgment and the quality of his work has been upheld," Morrow said.

Wolfer, head of LAPD's crime laboratory and the main target of critics who raised questions about a second gun, presently is teaching at the FBI Academy in Quantico, Va. He was not immediately available for comment.

Special Counsel Tom Kranz also will continue to explore various other points of contention and will issue a report on this matter, he said.

"Judge Wenke conducted this hearing in a most expeditious and judicious manner and I believe all parties to this action appreciate the concern for seeking the truth which he revealed."

Wenke ordered a reexamination of the evidence Aug. 14. Three days of hearings were held to identify evidence introduced in the Sirhan trial, and the experts began their examination on Sept. 24. Two days later Sirhan's gun was test-fired.

The seven experts appointed to the panel were:

Cortland Cunningham, a firearms expert from the FBI laboratory in Washington, D.C.; Stanton O. Berg, an independent forensic consultant from Minneapolis; Charles V. Morton, a staff member at the Institute of Forensic Science in Oakland; Lowell Bradford, former chief of the Santa Clara County crime laboratory; Alfred Biasotti, firearms expert with the state Department of Justice in Sacramento; Dr. Ralph Turner, a professor at Michigan State University's school of criminal justice, and Patrick Garland, director of the Virginia Bureau of Forensics.

However, Police Chief Edward M. Davis promptly issued the following statement after being informed of the findings.

"After years of unwarranted attack on criminalist De Wayne Wolfer, his integrity and professional excellence have been vindicated.

"However, this will not stop the conspiracy theory profiteers or the conspiracy theory nuts from drumming up additional allegations which will tend to undermine the workings of the police, the prosecution and the courts."

Howard joined Davis in that theme.

"I would hope this would lay to rest the divisive and destructive rumors surrounding the investigation and prosecution of this case," the acting district attorney said.

"I fear that the mentalities of the various assassination theorists will not allow them to abide by this decision."

Howard, one of the three prosecutors who convicted Sirhan as Kennedy's assassin, said his office would participate in cross-examination of the experts at hearings tentatively scheduled for Oct. 16 and 17 and he reserved further comment pending completion of those sessions.

The "second-gun" theory rested primarily on microscopic photos of evidence bullets taken by Pasadena criminalist William Harper in 1970.

The photographs appeared to show there were gross individual differences between the bullet taken from Kennedy's neck and the one that struck Weisel in the stomach.

These photos also appeared to show that the Kennedy neck bullet had a single concentric ring around it while the Weisel bullet had two.

Yet, the doubters pointed out that all eight shots in Sirhan's Iver Johnson revolver had been produced by Cascade, which manufactured only mini-mag. long-rifle bullets with two cannelures.

If the Kennedy and Weisel bullets were made by different manufacturers, the critics said, it must follow that a second gun was fired in the pantry that night more than seven years ago.

In noting there was no difference in cannelures and no significance in rifling angles among the evidence bullets, the experts effectively attacked the heart of the case for the "second gun."

(Mount Clipping in Space Below)

EXPORTS To Submit Gun Data On RFK

Initial reports of seven firearms identification experts who have been re-examining the ballistics evidence in Robert F. Kennedy's assassination are to be submitted to the Superior Court here Monday.

Results of the court-ordered miniprobe into ballistics identifications made by Los Angeles Police criminologist Dewayne Wolfer for the 1968 murder trial of Sirhan B. Sirhan are expected to provide scientific answers for the "second gun" argument voiced in some circles concerning the senator's slaying in the Ambassador Hotel on the eve of his California Presidential Primary election victory.

The seven experts have spent almost two weeks studying bullets and bullet fragments recovered from Kennedy's body and the bodies of others wounded in the shooting.

Included in the current testing was the refiring of a .22 revolver, which Wolfer had identified as the murder weapon.

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ORIGINAL TO THE BUREAU

The new ballistic tests were ordered by Presiding Judge Robert A. Wenke to determine if Wolfer's ballistic work was valid, and to answer the often repeated question of whether a second gun could have been used in the assassination.

The judge acted on a petition filed by Columbia Broadcasting System and Paul Schrade, one-time Kennedy campaign aide wounded in the shooting.

The Board of Supervisors, District Attorney and State Attorney General's Office later joined the petition in hope of ending the long-smoldering controversy on whether Sirhan acted in a conspiracy with unknown others or as a lone gunman.

(Mount Clipping in Space Below)

Writers Fail To Get Sirhan Trial Data

Efforts by a group of freelance writers to strip physical control of Sirhan murder trial evidence from the possession of the police, District Attorney and County Clerk have failed in Superior Court.

Judge Campbell M. Lucas yesterday denied a petition filed last month by writer Theodore Charach, Woodrow Thompson, James Horwitz and Donald Freed to have the court take possession of all items from the trial and investigation which followed Senator Robert F. Kennedy's assassination here in 1968.

(Indicate page, name of newspaper, city and state.)

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(Mount Clipping in Space Below)

RFK Gun Fired Again for Tests

By STEVE CONUS

Herald-Examiner Staff Writer

Firearms experts today are one step closer to determining whether or not more than one gun was used in the 1968 assassination here of Sen. Robert F. Kennedy after completing a special re-firing of the .22 revolver used by Sirhan B. Sirhan.

The special firing was conducted yesterday in the Hall of Administration basement where ballistics expert Patrick Garland fired four rounds of at least two different types of ammunition — both copper coated and solid lead bullets were used. The bullets were fired into a six-foot tall tank filled with water.

Superior Court Presiding Judge Robert A. Wenke authorized the firing Sept. 18, enabling a special panel of seven experts from throughout the country to complete a classical microscope comparison test of the bullets fired yesterday with previous evidence in the case.

Wenke's order was the result of a petition filed in August by the Columbia Broadcasting System, Inc., and Paul Schrader, one of the victims in the 1968 Ambassador Hotel shooting.

The three-part petition charges the experts to determine if the evidence from the assassination and subsequent police ballistics testing still is in good enough condition to make a comparison test, if the firearms identification made by the experts confirms original findings by police criminologist DeWayne Woller, and if the exhibits in any way support a conclusion that a second weapon was used at the time of the assassination.

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One of the experts on the panel, Lowell Bradford, declined to discuss details of the investigation, but told reporters following the firing yesterday that the results probably will be made public sometime next week.

The current reinvestigation has been hampered somewhat by the apparent loss of a report Wolfer said he prepared in the 1968 investigation of the assassination.

(Mount Clipping in Space Below)

Sirhan Murder Gun Test-Fired

BY JOHN KENDALL
Times Staff Writer

Sirhan B. Sirhan's gun was test-fired Friday in the "second gun" inquiry into the assassination of Robert F. Kennedy more than seven years ago at the Ambassador.

Four shots were fired Friday from the .22-caliber Iver-Johnson eight-shot revolver into a gray watertank set up in a basement room of the Los Angeles County Hall of Administration.

Patrick Garland, a firearms examiner with the Virginia Bureau of Forensic Sciences, fired the weapon. He was assisted by Cortland Cunningham, chief of the firearms and ball mark unit of the FBI Laboratory in Washington, D.C.

The test bullets, fired in sequences of two, were recovered for comparison by a panel of experts selected to

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examine evidence introduced at Sirhan's trial in 1969. Some skeptics, particularly Ted Charach, a Canadian-born journalist

Superior Judge Robert A. Wenke who produced a documentary film ordered the inquiry in response to a so-called "The Second Gun," have questions filed by Columbia Broadcasting System and Paul Schrade, one of the five other victims wounded when Kennedy was shot. But pressure to reopen aspects of the case has steadily increased since

Seven firearms identification experts started work Wednesday in an annex New York Congressman Allard equipped and guarded jury room of Lowenstein "went public" with their the county courthouse under careful questions about the assassination. procedures drawn up by Wenke and By the time the Schrade-CBS accusation went before Wenke last month, the Board of Supervisors and district

One of the questions the experts' attorney's office had joined in support were directed to address themselves to a reexamination of some of the evidence. to is, "Do the exhibits in any way support a conclusion that a second weapon was fired at the time of the assassination?"

Conspiracy speculation aside, questions about the possibility of a second gunman have grown principally out of apparent anomalies discovered in the bullet evidence.

At heart of the controversy were photomicrographs taken by Pasadena criminalist William W. Harper late in 1970 at the county clerk's office.

Harper's photographs appeared to challenge identification of bullets by Los Angeles Police Department Criminalist DeWayne A. Wolfer, now head of the department's crime laboratory.

Wolfer testified that a bullet taken from the base of Kennedy's neck and bullets taken from victims William Weisel and Ira Goldstein were fired from Sirhan's gun and "no other gun in the world."

In an affidavit dated Dec. 28, 1970, however, Harper declared his examination of the Kennedy and Weisel bullets led him to conclude they had not been fired from the same gun.

Another criminalist, Herbert L. MacDonell of Corning, N. Y., reached a similar conclusion in an affidavit signed in November, 1973. He based his judgment on conditions that the photos represent what they purport to be.

The seven experts sought permission to refire Sirhan's gun Thursday, and Wenke signed an order Friday authorizing the step "to enable them to complete the classical microscopic comparison test."

Since the experts were working under court-directed secrecy there was no one to officially explain why they had chosen to fire the gun at this stage of their examination.

There was speculation that the criminalists wanted to make certain they had test bullets from the Sirhan gun, since those at Sirhan's trial had been mismarked with another gun number.

Others suggested that if the efforts had been successful in matching test bullets prepared by Wolfer and evidence bullets it would not be necessary to fire Sirhan's weapon again.

In a related action Friday, Superior Judge Campbell M. Lucas upheld the right of the Los Angeles Police Commission and Police Department to withhold from the public its records concerning the investigation of the Kennedy death.

The ruling was made at the preliminary injunction stage of a civil suit filed by Charach, who operated Telecommunications News Service; Donald Freed, coauthor of a novel based on the John F. Kennedy assassination; columnist James Horwitz and officials of the Los Angeles Free Press and the San Francisco-based Zodiac News Service.

The suit, which still can go to full trial, also seeks to remove all RFK assassination records and materials from the control of the county clerk, the LAPD, the sheriff's and district attorney's offices. But Lucas was asked to consider only the public disclosure issue Friday.

The judge delayed indefinitely any hearing on the complaint against the county officials after Dep. County Counsel Frederick R. Bennett said the Sheriff's Department had no records on the case to be disclosed, and the district attorney's office had always made its records available to the public.

Lucas said any complaint against the clerk's office must be handled by Wenke under a special court order placing handling of Kennedy case court records under sole jurisdiction of the presiding judge.

Lucas adopted the argument of Dep. City Atty. Dion Morrow that the LAPD can refuse to reveal its records under a section of the state's Public Records Act exempting from disclosure any "police investigatory files."

But the judge hinted strongly the state Legislature may wish to review that and other exemptions, giving the public access to records unless the police or other agencies can prove why the records must remain sealed.

Horace A. Ruderman, attorney for the plaintiffs, had asked Lucas to order the LAPD to inventory and catalogue its Kennedy case files.

Lucas said there are "fundamental questions of policy" concerning the difference in the district attorney's willingness to make its records public and the LAPD's refusal to do so, but that those issues were not before his court.

Morrow explained that district attorney records include only duplicates of items which were entered as evidence in the trial of Sirhan, while LAPD files additionally contain records on investigations of possible conspiracy. He said that material is "largely not significant" and would invade the privacy of innocent people if made public.



TEST—With his ears protected against the blasts, Patrick Garland fires Sirhan B. Sirhan's gun into a tank of water. In rear, FBI's Cortland Cunningham. Bullets were taken from tank for study.

(Mount Clipping in Space Below)

Search for Sirhan Reports Fruitless

Scientific examination of Sirhan B. Sirhan murder trial ballistic evidence resumed today with no apparent hope of turning up original investigation reports made by city Police Dept. Criminologist DeWayne Wolfer.

Police Sgts. Philip Martuche and Gordon McDewitt told Superior Court residing Judge Robert A. Burke yesterday that a week-long search of departmental files failed to unearth the reports Wolfer said he prepared in the 1968 investigation of the assassination of Sen. Robert Kennedy.

Wolfer's memoranda and reports were sought as aids by a seven-member panel, headed by Norfolk, Va., forensic expert Patrick Garland, in reaching a decision on whether the exhibits from Sirhan's trial are still in condition for reliable testing.

At Garland's request, Burke agreed the panel may confer with one another on the best tests to determine if a firing of Sirhan's gun would be helpful in proving or disproving the "second-gun" theory.

Subsequent tests, however, must be conducted independently and without consultation, he ruled.

Each of the seven experts is charged with preparing reports concerning the validity of Wolfer's original findings and an opinion on whether or not a second gun could have been fired in the Ambassador hotel pantry where Kennedy was slain.

These individual reports are to be sealed and submitted to the court.

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Police Expert Criticized in Kennedy Probe

BY JOHN KENDALL
Times Staff Writer

While seven experts examined evidence in the Robert F. Kennedy assassination, the district attorney's special counsel Thursday criticized the practices of a Los Angeles Police Department criminalist who originally conducted tests in the case.

Thomas F. Kranz, appointed by Acting Dist. Atty. John Howard last month in the "second gun" inquiry, said he did not doubt the validity of the conviction of Sirhan B. Sirhan for Kennedy's murder seven years ago.

But he said the apparent lack of reports by DeWayne Wolfer, the LAPD's ballistics expert in the case and now head of the department's crime lab, "raised doubts as to the substance of the evidence in the case."

He suggested that the current investigation by a panel of experts might be crucial because it could be the first thorough examination of the bullet evidence.

As far as he knew, Kranz said, the LAPD had done a "tremendous" job in probing the question of conspiracy in the Kennedy assassination. He said other aspects of the probe were detailed in triplicate.

"The only area where the reports are not complete is in the ballistic examination," he said.

Sirhan's attorney, Godfrey Issac, and attorney Mel Lavine, representing Paul Schrade, one of five others sentenced when Kennedy was shot, joined Kranz in raising questions about the case.

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"I'm concerned about documentation," Isaac said. "I don't think Wolfer has done an adequate job."

Levine insisted that the apparent nonexistence of reports must be explained. He pointed out that a search of LAPD files had failed to turn up analyzed evidence reports on evidence bullets.

He said there were no records or reports on the results of the x-ray of ceiling panels with bullet holes in them or records or reports on spectrographic analysis of evidence bullets.

"The people have a right to know

Why there is a wholly inadequate record of the tests that were conducted in the most important investigation in LAPD history," Levine said.

Wolfer testified last week at a hearing before Superior Judge Robert A. Wenke that in several instances he could not remember specifically what he had done seven years ago, but he repeatedly said he assumed he had made reports on various aspects of the investigation about which he was asked.

Two police officers, Philip L. Sartuche and Gordon P. McDewitt, were assigned to search department files for reports made by Wolfer. They came to court Thursday to report what they found.

Under questioning by attorneys, Sartuche said he did not find analyzed evidence reports prepared by Wolfer on bullets taken from Schrade and the four other victims, Irwin Stroll, Ira Goldstein, William Weisel and Elizabeth Evans.

The investigator said he had searched police files where he thought all ballistic evidence reports might be found.

"Can you think of any other location?" Levine asked.

"No," Sartuche replied.

The experts selected to look into the possibility that a second gun was fired in the Ambassador pantry were making their investigations Thursday in a jury room equipped with an array of scientific equipment.

"They are hard at work," Wenke said. "They seem to be satisfied and I'm pleased about that."

After filing individual confidential reports, the experts will discuss whether further tests of the evidence should be made.

One of these tests could be the firing of Sirhan's gun.

(Mount Clipping in Space Below)

Sirhan Evidence Probed

Preliminary examination of the Sirhan B. Sirhan murder-trial ballistics evidence by a panel of forensic experts was to begin today in Superior Court here.

Initial tests by seven national experts are intended to determine if Sirhan's gun and the bullets recovered from the body of Sen. Robert F. Kennedy and five other persons wounded in the 1968 Ambassador shooting are in condition for significant retesting.

The seven experts were brought here at county expense yesterday, to conduct a court-ordered probe of the ballistics exhibits in an effort to determine if any evidence exists to support the second-gun theory of the senator's death.

Tidewater Regional Laboratory forensic expert Patrick Garland from Norfolk, Va., was chosen the panel's court administrator yesterday. He was the last expert chosen by agreement of attorneys involved in the petition to review the Sirhan evidence which was filed last month by Columbia Broadcasting System and former Kennedy campaign aide Paul Schrader.

The other panel members are FBI forensic expert Courtland Cunningham of Washington, Stanton O. Berg of Minneapolis, Alfred A. Basotti of Sacramento, Lowell W. Bradford of San Jose, Charles V. Morton of Oakland, and Ralph Turner of East Lansing, Mich.

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RFK 2nd Gun Theory Tested

Seven firearms experts have begun scientific tests to determine if a second gun could have been used in the assassination of Sen. Robert F. Kennedy.

The first order of business in the court-ordered probe of ballistics evidence from Sirhan B. Sirhan's 1968 trial is to determine if about 30 exhibits are in good enough condition to make a reliable firearms identification.

The tests, which assistant chief county counsel Robert C. Lynch yesterday said may take all week, are preliminary to a decision on whether Sirhan's .22 revolver could be test-fired to aid in the ballistics testing.

Superior Court Judge Robert A. Wenke last month ordered the murder gun retested to determine if the evidence indicated a second gun had been used during the Ambassador Hotel shooting seven years ago.

The judge acted in response to a petition filed by the Columbia Broadcasting System and former Kennedy campaign aide Paul Schrade.

The county Board of Supervisors, state attorney general and Los Angeles district attorney's office later joined in the request for reexamination of the ballistics evidence.

The panel, headed by Norfolk, Va., forensic expert Patrick Garland, was chosen by attorneys involved in the petition action.

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7 Experts Due to Begin Reexamining Bullet Evidence in Sen. Kennedy Case

BY WILLIAM FARR
Times Staff Writer

Seven of the nation's foremost firearms identification experts are scheduled to begin reexamination today of the bullet evidence in the Robert F. Kennedy assassination case.

They were welcomed to their task in Los Angeles Tuesday by county Board of Supervisors Chairman James Hayes, who told them, "I hope you will be able to come up with some sound evidence that will dispel the doubts that have arisen in the minds of many people."

The experts are expected to require at least the remainder of this week to make their microscopic comparisons of the bullets and report their findings to Robert Wenke, presiding judge of the Los Angeles County Superior Court.

Wenke ordered reexamination of the bullets and possible refiring of convicted assassin Sirhan Sirhan's gun as the result of petitions filed by CBS, Inc., and Paul Schrade, one of the five bystanders wounded when Kennedy was slain seven years ago.

Reports that some of the bullets do not match up ballistically have led to speculation that a second gun was fired in the Ambassador pantry that night.

The county supervisors entered the court proceeding in support of CBS and Schrade at the request of Superior Court Judge Baxter Ward, whose interest in the controversy dates back to his days as a television newscaster.

Costs of the reexamination proceedings will be paid by the board of Supervisors. The experts are donating their services but will be reimbursed for their travel and living expenses.

The experts spent most of Tuesday in closed-door sessions working out procedural matters preparatory to launching the actual reexamination today.

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Microscopic comparisons of the bullets will be made with equipment set up in a jury room adjacent to Superior Court Department 3 in the downtown county courthouse.

A comparison microscope with an attachment that will take magnified photos of the bullets has been provided by the American Optical Co.

The panel of experts elected Patrick Garland, a firearms examiner with the Virginia Bureau of Forensic Sciences, as their administrator and liaison representative with court officials.

Other experts participating in the retesting are Stanton Berg, an independent firearms examiner from Minneapolis; Lowell Bradford, a forensic consultant from San Jose who formerly served as head of the Santa Clara County crime laboratory; Alfred Biasotti, assistant chief of the California Department of Justice's investigative services branch; Cortland Cunningham, chief of the firearms and tool marks unit of the FBI Laboratory in Washington, D.C.; Charles Morton, a criminalist with the Institute of Forensic Sciences in Oakland; and Ralph Turner, a professor at Michigan State University's school of criminal justice.



EXPERTS—Authorities on firearms identification take up most of front row at a Board of Supervisors hearing at which they were welcomed to the task of re-examining Kennedy case bullets

(Mount Clipping in Space Below)

Sirhan Ballistic Evidence Missing

Preliminary hearings in a probe of ballistic evidence in the 1968 slaying of Sen. Robert F. Kennedy are expected to end today, despite discovery that one of the exhibits is incomplete.

Discovery that evidence was missing came late yesterday when a sealed envelope containing two live .22 cartridges and one expended bullet taken from Sirhan B. Sirhan's pocket after the murder were opened in the Superior Court of Presiding Judge Robert A. Wentz, and one of the cartridges was missing.

The envelope was one of 20 sealed exhibits from Sirhan's trial which Los Angeles police criminalist DeWayne Wofter has been examining and identifying from the witness stand for three days.

Wofter discovered a bullet was missing when he opened the envelope tagged "People's 14."

County Clerk's office criminal records chief Dave Coleman had no immediate explanation about the exhibit, which was last taken from its sealed envelope in May, 1974.

Dep. Dist. Atty. Benko Bozanich later charged that the missing bullet gives new support to his position that improper handling of Sirhan evidence by the County Clerk during the last seven years has destroyed its "integrity" and makes the court-ordered ballistics probe useless.

Sirhan's attorney, Geoffrey Isaac, however, argued that the missing bullet plus other irregularities in marking and handling the exhibits strengthens his charge that Alice and District Attorney handling of the Sirhan investigation and prosecution denied his client a fair trial.

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ORIGINAL TO THE BUREAU

None of the attorneys representing the Columbia Broadcasting System and Paul Schrade indicated the missing bullet itself has any effect on planned re-testing of Sirhan ballistics evidence by a panel of firearms experts.

The experts tentatively are scheduled to begin scientific re-examination of the evidence Monday, providing exhibits now before the court are qualified as authentic, and Sirhan's consent to the probe is obtained in writing.

The seven forensic experts are specifically charged with deciding:

- Whether the exhibits are currently in condition to make reliable firearms identification;

- If such identifications are possible, do they confirm Wolfer's original findings?

- And do the questioned exhibits in any way support a conclusion that a second weapon was fired during the assassination?



Herald-Examiner photo by Myron Dube

**County Clerk's office criminal records chief Dave Coleman displays
gun Sirhan B. Sirhan used to assassinate Sen. Robert Kennedy here.**

(Mount Clipping in Space Below)

Doubt Cast on State of Evidence in Kennedy Probe

Gun Expert Says Bullets Have Darkened, Marks on Them Are Not Exactly as They Were Originally

BY JOHN KENDALL and WILLIAM FARR
Times Staff Writers

LAPD crime laboratory chief DeWayne A. Wolfer Wednesday cast doubt on the current condition of evidence bullets to be examined by experts in reopening aspects of the inquiry on the assassination of Robert F. Kennedy.

Near the end of a day-long appearance on the witness stand, the 50-year-old criminalist was asked by Dep. Dist. Atty. Dinko Bozanich whether striations on two bullets were in the same condition as when he examined them.

(Striations are marks made on bullets as they pass through a gun barrel.)
"I'm sure they are not," Wolfer replied.

Earlier, Wolfer had commented that bullets and shell casings he was examining with a magnifying glass to find his initials were "tremendously darkened."

Wolfer prefaced many of his answers in his testimony with reminders that he was trying to recall what he had done seven years ago.

Led off in questioning by attorney Howard Privett, representing the Columbia Broadcasting System, a battery of lawyers worked slowly through identification of evidence to be presented later to experts for study.

The evidence examined Wednesday included Sirhan Sirhan's gun, three test bullets marked with the wrong gun number and bullets taken from Kennedy's neck and from victims Irwin Stroll and Ira Goldstein.

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ORIGINAL TO THE BUREAU

Under questioning, Wolfer said the handwriting on exhibit 55 at the Sirhan trial appeared to be his, but he did not recall who gave him the wrong number appearing on it.

The serial number on exhibit 55—H-18602—belonged to a gun used by Wolfer to muzzle, distance and sound tests and was not the Sirhan gun number as it was supposed to have been.

Wolfer examined the Kennedy, Weisel and Goldstein bullets and tes-

tified he found the initials "DW" but he said he could not recall making any tests on them other than identifying the bullets as coming from Sirhan's gun.

The criminalist said he did not recall whether he made any other tests on the Sirhan gun other than test firing it. He said he did not remember examining the gun's cylinder.

Wolfer indicated he used one of seven test bullets fired from Sirhan's .22-caliber revolver to compare with the evidence bullets, but he did not know if he had marked the one used for comparison.

To the best of his recollection, Wolfer said, he only used two guns for testing in the Kennedy case, Sirhan's weapon and one similar to it used for sound and muzzle distance tests.

The hearing resumes today before Superior Judge Robert L. Wenke with Wolfer back on the stand.

The next step in the proceeding will be reexamination of evidence by a panel of experts. They will be asked to resolve, if possible, continuing speculation whether a second gun might have been fired in the Ambassador pantry on June 5, 1968.

(Mount Clipping in Space Below)

Sirhan Probe Recessed

Superior Court proceedings in the limited probe of ballistics evidence in the Sirhan B. Sirhan murder trial have been recessed until Sept. 5, though a panel of forensic experts may still hold their initial meeting here next week.

Presiding Judge Robert A. Wenke ordered the recess yesterday after Los Angeles police criminologist Dewayne Wolfer completed an examination and identification of some 20 exhibits used in Sirhan's 1968 trial for assassinating Sen. Robert F. Kennedy.

Wolfer's identification and cross-examination this week completed the first phase of the probe, ordered last month in a petition filed by Columbia Broadcasting System and the late Kennedy aide Paul Schrader.

Next week's Superior Court hearing is set to consider requests for Los Angeles Police Dept. records related to Wolfer's crime lab investigation of Sirhan ballistics evidence.

The initial meeting of the seven-member firearms identification panel is intended to coordinate and finalize procedural activities for an independent re-examination of the ballistics evidence and a probable new test firing of Sirhan's weapon.

Preliminary testing of the evidence itself, which originally was scheduled to begin Monday, has been postponed pending completion of arrangements for conducting new tests.

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Identification of Sirhan Data Ends

Way Cleared for Experts to Try to Discover if 2nd Gun Was Fired

BY JOHN KENDALL
Times Staff Writer

The way was cleared Thursday for experts to attempt to conclusively determine whether a second gun was fired at the time Sen. Robert F. Kennedy was assassinated seven years ago.

Superior Judge Robert A. Wenke and a battery of 10 attorneys completed identification of evidence introduced in the 1969 trial of convicted assassin Sirhan B. Sirhan.

Seven experts from around the nation will be assembled—perhaps next week—to organize their examination of the evidence, including Sirhan's gun and bullets supposed to be fired from it.

Their charge will be to determine whether it might be necessary to fire the weapon again and to answer the question: "Do the exhibits in any way support a conclusion that a second weapon was fired at the time of the assassination?"

Another hearing is scheduled before Wenke next Thursday to examine any other reports which may have been found in Los Angeles Police Department files of the Kennedy case.

Possible existence of additional reports was indicated Thursday in the testimony of LAPD crime laboratory chief DeWayne Wolfer.

Under questioning, the criminalist repeatedly identified items of evidence which he had examined before the Sirhan trial, and said he assumed he had prepared reports on his study of them.

Wolfer said in several instances, however, he did not remember what were the results of his examinations because he had no reports before him.

He repeatedly qualified his answers to specific questions about what tests he performed with references to the fact they had been completed seven years ago.

Wolfer ended two full days on the witness stand Thursday afternoon.

Outside the courtroom, Godfrey Isaac, representing Sirhan, criticized the LAPD for not producing the records to which Wolfer referred.

"The Police Department is determined that we shall not get the facts," he said.

"I don't believe he (Wolfer) has the total lack of recall on perhaps the most important case he has ever had."

Attorney Mel Levine, representing Paul Schrade, one of five persons wounded at the time Kennedy was shot, said it did not appear that Wolfer had refreshed his memory from police files before testifying.

"We are going to ask for the records in every case where Wolfer indicated he may have made a test," the attorney said.

(Indicate page, name of newspaper, city and state.)

II-3 LOS ANGELES TIMES
LOS ANGELES, CA

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Author: John Kendall
Editor: William F. Thomas
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(Mount Clipping in Space Below)

Kennedy's Son Objects To Reopening Case**NEW YORK (UPI) —**

Robert F. Kennedy Jr., says he opposes reopening the investigation into the assassination of his father.

The 31-year-old son of the late New York senator, appearing Thursday at a news conference to promote a television special, was asked his opinion of the theory that a second gun was used in the slaying.

"I don't think there's anything to it," he said. "I think it takes is one crazy guy."

As to whether the probe into the Robert Kennedy assassination should be reopened, his son said, "They should let it go; just leave it."

Kennedy is a narrator-interviewer in a special "The Last Frontier," filmed in Kenya.

Kennedy said he is taking a semester's leave this year from Harvard, where he is majoring in American history, to travel through the South to gather material for a senior thesis on southern populism. Then he will finish up his undergraduate studies and enter law school.

(Indicate page, name of newspaper, city and state.)

P. 4 EVENING OUTLOOK
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(Mount Clipping in Space Below)

Panel To Pursue Investigation Of RFK Killing

By City News Service

A newly formed Los Angeles council committee intends to go ahead with a probe of the police department's handling of evidence in the Robert F. Kennedy assassination despite a plea by Kennedy's son to drop the effort, City Councilman Zev Yaroslavsky said Thursday.

Yaroslavsky, who represents the West Los Angeles area, was responding to comments made in New York this morning by 21-year-old Robert F. Kennedy Jr. He said the council review is "the city's business."

Kennedy, asked by newsmen about efforts in Los Angeles to reopen the case, commented, they should let it go, just leave it."

Yaroslavsky said he understood the Kennedy family's concern: "I'm sensitive to it, and I appreciate their situation."

"But it's really the city's business," he added. "We're conducting a review of the investigation of the Los Angeles Police Department and commission."

(Indicate page, name of newspaper, city and state.)

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(Mount Clipping in Space Below)

Sirhan Gun-Probe Plans Assailed

Los Angeles Police criminologist DeWayne Wolfer has launched a multi-pronged attack against plans for re-testing ballistics evidence used in the conviction of Sirhan B. Sirhan for the 1968 murder of Sen. Robert F. Kennedy.

The attacks came in a petition filed on Wolfer's behalf yesterday by Attorney George Francell.

The petition protested Superior Court Presiding Judge Robert A. Wenke's tentative decision to have Sirhan's gun re-tested under court-imposed restrictions intended to protect integrity of evidence.

Wolfer claimed the panel of firearms experts chosen by agreement between the state's Attorney General Columbia Broadcasting System and onetime Kennedy aide Paul Schrader, is biased in favor of a conspiracy or second-gun theory for the slaying.

Wolfer also charged that tentative procedures are similarly biased and that there is neither authority nor good cause to re-examine the evidence or test the gun.

Judge Wenke, who made a tentative order to re-test the weapon, is scheduled to rule on the specific test procedures Thursday. Actual tests are supposed to begin Sept. 22, if written permission by Sirhan and his lawyers is obtained in writing by that time.

CBS, Schrader, Deputy Uty. Gen Russell Lingerich and Asst. Chief Deputy County Counsel Robert C. Lynch have agreed in principle on procedures and six of the seven firearms experts named to test the weapons and examine rial evidence under County Clerk supervision.

Deputy Dist. Atty. Dinko J. Iezarich has called for direct court control of the testimony and has requested that the ballistics testing follow traditional microscope examination methods.

(Indicate page, name of newspaper, city and state.)

A-3 HERALD EXAMINER
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SEP 9 1975	
FBI - LOS ANGELES	

ORIGINAL TO THE BUREAU

Bozanic expressed fear Ferraro indicated he had that if the experts, rather than the court, control procedures, the "public's right to know could be transformed into a right to be confused." view committee in order to look at police procedures in general as well as the Ken- edy investigation.

The seventh panel position is reserved for a Sirhan-chosen expert who is yet to be named. The others are FBI expert Courtland Cunningham, ballistics man Stanton O. Berg, of Minneapolis; Lowell W. Bradford, of San Jose; Donald Champagne, of the Florida Dept. of Law Enforcement; Alfred Biasotti, of the California Dept. of Justice; and Michigan State University Professor Ralph Turner.

Meanwhile, at City Hall, controversy has flared over the name, task and scope of a City Council special ad hoc committee appointed to probe police procedures employed during the investigation of the assassination.

The only decision made yesterday during the committee's first session involved the selection of Councilmen Ernani Bernardi as chairman and John Ferraro as vice-chairman. Indications of a committee split were apparent during that procedure when three members were nominated for each job.

Freshman Councilman Zev Yaroslavsky, who initiated the creation of the committee, called for a wide-ranging investigation of the 1968 shooting, and said flatly, "I don't trust the Police Commission."

His remark followed a proposal by Bernardi and Ferraro that the committee should check with the Board of Police Commissioners for information as to the availability of police files in the case.

The meeting ended with a vote to postpone selection of a committee name until transcripts of the council discussion, which preceded appointment of the five-member panel, could be reviewed to determine legislative intent.

(Mount Clipping in Space Below)

Court Here Orders New Sirhan Probe

Los Angeles Police criminalist DeWayne Wolfer and the Sirhan B. Sirhan murder trial evidence have been ordered into court Tuesday to begin a miniprobe of the 1968 assassination of Sen. Robert F. Kennedy.

Superior Court Presiding Judge Robert A. Wenke issued subpoenas for Wolfer, the evidence and a representative of County Clerk Jerome D. Cobelli yesterday as he formally launched a limited ballistics probe approved in principle last month.

Tuesday's hearing to establish authenticity of the evidence and Wolfer's opinion about its current condition, was set after Judge Wenke rejected a petition by the criminalist's lawyer, George Yanscell, challenging authority for the probe and the objectivity of a six-member panel of ballistics experts aimed to review the disputed evidence.

The panel of forensic experts, originally seven, was chosen by agreement among principals involved in a move to re-examine the ballistics evidence. The panel number was reduced by the unavailability of Florida Dept. of Law Enforcement criminalist Donald Champagne.

(Indicate page, name of newspaper, city and state.)

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SEP 13 1975	
LOS ANGELES	

ORIGINAL TO THE BUREAU

The petition to re-examine
Kennedy assassination
ballistics evidence including a
new test-firing of Sirhan B.
Sirhan's gun was filed by at-
torneys for Columbia Broad-
casting System and Kennedy
campaign aide Paul Schrade,
one of five persons wounded
in the shooting at the Am-
bassador Hotel.

Reacting to Supervisor
Baxter Ward's criticism of
his "objectivity" who prose-
cuted Sirhan, appointed at-
torney Tom Kranz as special
counsel for the miniprobe.

However, Dep. Dist. Atty.
Dinko Bozanich accompanied
Kranz to the hearing yester-
day and launched an unsuc-
cessful plea to subpoena
ballistics expert William
Harper and 34 other persons
in an effort to direct the probe
toward the question of wheth-
er unauthorized handling of
exhibits during the past seven
years destroyed their use-
fulness for retesting.

Bozanich and Kranz coun-
tered that the public's right to
know "implicitly includes the
right not to be further con-
fused."

(Mount Clipping in Space Below)

Sirhan's Gun Slated For Ballistic Tests

By United Press International

Seven ballistics experts across the nation will carry out independent tests on Sirhan Sirhan's pistol under a judge's order to determine whether another gun was fired in the assassination of Robert Kennedy.

First they have to determine whether the pistol and bullets recovered in the Kennedy slaying were preserved well enough to be valid evidence after seven years.

The new tests are the result of continued pressure by "second gun" theorists who say there is evidence to show that more bullets were fired in the Kennedy slaying than Sirhan's revolver held, and that some of the recovered bullets could not have come from his pistol.

The presiding judge of the Superior Court of Los Angeles County, Robert Wenke, Thursday accepted the ground rules for reexamination of the pistol, worked out by 13 attorneys in a civil suit.

The panel of ballisticians and criminalists includes experts from the FBI, police departments, universities and private institutes from California, Minnesota, Michigan and Washington, D.C.

The suit was brought by CBS-TV and Paul Schrade, one of the five persons wounded in the Kennedy shooting, and joined by attorneys for Sirhan, the late county and city.

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SEP 15 1975	
LOS ANGELES	

ORIGINAL TO THE BUREAU

Wenke rejected an appeal by Dewayne Wolfer, the Los Angeles Police Department criminalist who conducted the original tests, to block the new examination as an affront to his reputation. He ordered Wolfer to appear at a hearing Tuesday to certify that the pistol and other exhibits to be turned over to the panel are the ones he tested.

Wolfer argued that the condition of the pistol, bullets, and bullet fragments has changed so greatly during the years since the 1968 assassination that the new tests will be meaningless.

The judge said the first question the seven panelists have been asked to answer is: "Is the condition of the exhibits at the present time such that a reliable firearms identifications can now be made?"

Deputy District Attorney Dinko Bozanich also called for a full hearing into charges the exhibits are no longer reliable, perhaps because of alleged negligence in the county clerk's office.

He said the material had been repeatedly handled by unauthorized persons in violation of court orders.

The judge delayed a decision until he studies a 700-page transcript of 1971 grand jury proceedings into the sequence charges.

(Mount Clipping in Space Below)

SLANDER SUIT TIED TO RFK DEATH

Rev. Oliver R. Owen's \$1-million slander suit against a television station has become the latest forum for challenging the lone-gun theory of the assassination of Sen. Robert F. Kennedy seven years ago.

Attorney Vincent T. Bugliosi, representing the television station, opened the issue yesterday with a string of witnesses intended to establish a pre-assassination link between convicted slayer Sirhan B. Sirhan and Owen.

Owen's suit is based upon a contention that KCOP executive John Hopkins slandered him in July, 1965, by allegedly saying that the evangelist's religious program had been cancelled because he was a "thief who burned down a number of churches in Arizona and was involved in the assassination of Sen. Kennedy."

Bugliosi's prime witness in the trial, before Superior Court Judge Jack A. Crickard, was San Bernardino County horse rancher William Lee Powers, who alleged that Rev. Owen turned up at a Santa Ana stable shortly before the assassination with a roll of \$1,000 bills, a luxury car and two companions — one whom Powers tentatively identified as being Sirhan.

Powers also testified Rev. Owen had mentioned Sirhan's name several months before the assassination in connection with some horse-grooming matters.

Bugliosi hinted at a possible Los Angeles police evidence cover-up because a department investigation concluded Rev. Owen's report of picking Sirhan up as a hitchhiker in downtown Los Angeles the day before the murder was false and an attempt to get publicity.

(Indicate page, name of newspaper, city and state.)

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JUL 30 1975	
FBI - LOS ANGELES	

TO THE BUREAU

Rev. Owen testified he had never seen Sirhan before June 3, and that he had obtained the large-denomination bills from evangelical fund-raising activities in Northern California. He identified the two men who were with him in the automobile as a long-time friend, Johnny Gray, and one of his sons.

(Mount Clipping in Space Below)

Final OK Due In Sirhan Probe

By EDD CLARK

Herald Examiner Staff Writer

Final approval to probe ballistics evidence in the assassination of Sen. Robert F. Kennedy is expected today from Presiding Judge Robert A. Wenke of Los Angeles Superior Court.

The hearing was set to finalize ground rules and procedures for the limited probe of controversial evidence which Judge Wenke approved in principle last month.

The judge acted on petitions filed by the Columbia Broadcasting System and former Kennedy campaign aide Paul Schrader, one of five persons wounded when convicted killer Sirhan B. Sirhan launched a wild shooting spree in the Ambassador Hotel pantry June 5, 1968.

The senator was at the hotel to celebrate his victory in the California Presidential Primary election.

CBS and Schrader were joined in the petition by County Counsel John Larsen and Dist. Atty. special counsel Tom Kranz. Both Acting Dist. Atty. John Howard and the County Board of Supervisors have agreed Sirhan's ballistics evidence should be reexamined to clear up a lingering public controversy about a so-called "second gun," or conspiracy theory in the slaying.

General agreement already has been reached on appointment of a panel of experts to conduct the limited probe.

Except for certain reservations concerning physical control and scope of the probe, agreement also has been reached on items of evidence which should be subject to reexamination.

Los Angeles police criminalist DeWayne Wolfer, however, has filed a "friend of the court" position objecting to the procedure on grounds that the panel of experts is biased in favor of a conspiracy theory.

Wolfer's lawyer, George Franscell, also questions whether legal authority or good cause exists to have the evidence reexamined. Judge Wenke has indicated he will rule on this issue prior to final approval of the panel and ground rules for the probe.

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Editor: Donald Goodenow
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FBI - LOS ANGELES	

ORIGINAL TO THE BUREAU

The principal petitioners have reached agreement holding the proposed items of trial evidence subject to examination as:

- The bullets and bullet fragments recovered from Kennedy's body and the bodies of five persons wounded in the shooting; Sirhan's gun and eight spent cartridges plus two live .22 caliber rounds taken from it after the shooting.

- Also, photographic evidence used in the trial, the senator's clothing, four test bullets fired prior to the trial but not placed in evidence, and Coroner Thomas J. Noguchi's autopsy report.

This evidence will be examined by forensic science experts Courtland Cunningham, of the Federal Bureau of Investigation; Stanton O. Berg of Minneapolis; Lowell W. Bradford of San Jose; Donald Champagne of Florida; Alfred Biaschi of the California Department of Justice; and Michigan State University professor Ralph Turner.

The panel will determine whether:

- The exhibits are still in a condition that will make accurate testing possible.

- The new tests confirm Weller's original findings.

- And if there is evidence which could support a "second gun" theory.

Each of the forensic experts, including a seventh panel member still to be named by Sirhan, is to make an independent report of his conclusions.

The District Attorney's Office has filed a formal statement questioning whether the scope of the proposed examination exceeds the original limits of the proposed probe — and an objection to the procedure being carried out under the county clerk's supervision rather than direct court control.

Schrade's attorneys also have proposed that American Academy of Forensic Sciences President Robert J. Joling be named overall supervisor of the investigative panel.

(Mount Clipping in Space Below)

Panel To Probe Police Actions

By United Press International

The Los Angeles City Council will investigate police handling of the assassination of Sen. Robert Kennedy. The senator's son, however, says the family opposes reopening the investigation.

The Council voted 10-1 Friday to set up a special committee to probe the police department's actions, particularly the destruction of ceiling panels but "second gun" theorists called valuable evidence and the department called needed.

The council thus joined a county government and court action in taking new steps at the shooting of Kennedy in 1968.

But Robert Kennedy Jr., said in a television interview here Friday he opposes opening the investigation. "I think I can speak for my family. I just don't see a need to pursue it," he said.

"All it takes is one crazy guy for such an assassination," he said. For a related action, a superior court judge Friday led against a request by the television news and the Schrade for a court order requiring the Police Department to make public secret files on the assassination.

Schrade, a former union leader, was with Kennedy as he was wounded in the shooting. They asked for an order requiring the Police Commission to make public a 6-volume summary of the investigation and 50,000 pages of investigators' reports and other material. The commission has turned down their request, but agreed to provide written answers to written questions.

(Indicate page, name of newspaper, city and state.)

P. 3 EVENING OUTLOOK
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SEP 2 1975	
LOS ANGELES	

b7c

Judge Norman Dowds ruled police files are specifically exempt from the state public records law. But he added that "in my personal opinion, I think that this long after the event, the Police Department and the Police commission could consider disclosure of these records."

As part of another court action brought by Schrade, Sirhan's pistol was ordered refired to provide fresh evidence for ballistics experts. The County Board of Supervisors told the district attorney's office, which had resisted such efforts, and the county counsel's office to help the renewed investigations.

Sirhan B. Sirhan, seen by scores of witnesses emptying a revolver into Kennedy at close range in the kitchen of the Ambassador Hotel in 1968 just after Kennedy won the California Democratic presidential primary, is serving life in prison.

(Mount Clipping in Space Below)

REF Probers Lose Suit To Get Files

Proponents of reopening the Robert F. Kennedy assassination case have taken one step forward and one step back.

A Superior Court judge rejected a suit to open police files on the slaying, but the City Council set up a committee to study the Police Dept.'s procedures in investigating the 1963 shooting.

The court ruling yesterday involved Columbia Broadcasting System and one-time Robert Kennedy campaign ad Paul Schrader's bid to open police files.

Judge Norman R. Dowds led a summary of the investigation of Kennedy's murder is exempt from public disclosure as an internal record of an official investigative agency.

The judge rejected arguments by CBS attorney Howard Privett and Schrader's lawyer, C. Stephen Howard, that confidentiality of the summary has been destroyed through selective disclosure to writers involved in Deputy Police Chief Robert Houghton's book, "Special Duty: A Senator."

Deputy City Atty. Dion Morrow successfully argued that the attorneys had failed to prove the summary had been shown to Houghton's co-author or other writers. Privett and Howard had claimed it was the Police Dept.'s responsibility to prove that they had not disclosed it.

Privett said Judge Dowds ruling probably will be applied. CBS and other persons interested in reopening the issue of whether convicted slayer Sirhan B. Sirhan acted alone in the murder have launched a series of court suits to re-examine both trial records and the Police Dept. handling of the investigation.

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SEP 2 1975	
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ORIGINAL TO THE BUREAU

Meanwhile, at City Hall yesterday, five City Council members were named to a special ad hoc committee to study the Police Dept.'s criminal investigation procedures related to the Kennedy assassination.

Council President John S. Gibson Jr. named Zev Yaroslavsky and John Ferraro, along with three designated committee chairmen to the panel proposed last week by Yaroslavsky and approved yesterday by the full council.

Serving with the two Gibson choices will be Ernani Bernatchi of the council's State, County and Federal Affairs Committee, Peggy Stevenson of the Governmental Efficiency Committee, and Gilbert W. Lindsay of the Police, Fire and Civil Defense Committee.

The council voted 10-1 to establish the committee despite objections of police spokesman. Cmdr. Joseph Gunn and Councilman Marvin Braude.

Gunn said the department would welcome a review of police procedures and property disposal by a standing council committee but that the department did not think creation of a special committee would serve any purpose.

Braude said appointment of the ad hoc committee is similar to setting up a "police review board."

"The Police Commission is the appropriate agency to supervise the department," Braude said, adding that councilmen could address any questions it has to the commission.

He said he felt such a committee would damage public confidence in the Police Dept., but Yaroslavsky countered that it was his intention to restore confidence because "public trust is at an all-time low."

(Mount Clipping in Space Below)

Council Will Review Sen. Kennedy's Death

Panel to Study Procedures Used by Police in Probe

BY JOHN KENDALL
and BILL FARR
Times Staff Writers

Nearly seven years after the case was officially considered closed, the City Council decided Friday to review the Los Angeles Police Department's procedures in the investigation of the assassination of Sen. Robert F. Kennedy.

Council members—in apparent response to growing public questions and demands to reopen aspects of the case—voted 10 to 1 to form a special five-member committee to conduct the review.

Meanwhile Friday, two private petitioners who had taken court action to get access to police case information lost before Los Angeles Superior Judge Norman Dowds.

Dowds refused to order the LAPD to open its files on the Kennedy assassination to CBS Television and Paul Schrader, one of five persons rounded at the time Sen. Kennedy was shot.

After the council vote, Councilman Lew Yaroslavsky expressed pleasure with the decision. He described it as a "great step forward" for the council in asserting its responsibility for legislative inquiry.

The freshman legislator offered a resolution for formation of an ad hoc committee last week after the LAPD disclosed that ceiling panels taken from the Ambassador's pantry had been destroyed.

Asst. Police Chief Daryl Gates told a council the panels only had value as evidence when they were examined in the pantry where Kennedy was shot. Three bullet holes were in

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SERIALIZED	FILED
SEP 2 1975	
LOS ANGELES	

b7c

"We could not rely on the Police Commission because it is the governing body of the Police Department and part of the executive branch of government of the city," Yaroslavsky said.

During the debate on Yaroslavsky's motion, Councilman Marvin Braude, who voted against the resolution, argued that questions about the Kennedy case should be asked of the Police Commission.

"Why do we have to set up another ad hoc committee?" he asked. "This is nothing more than a police review board and it discredits the Police Commission."

The LAPD's position was expressed by LAPD Comdr. Joe Gunn. He said the department had no objection to an inquiry into methods of disposing of property not introduced as evidence.

However, he said, "We think it would be a mistake to have an ad hoc committee to look specifically into the assassination of Robert F. Kennedy."

"We don't think that is the issue. We think the issue is: How did the Los Angeles Police Department dispose of property that is not introduced into court?"

The question of scope of the review seemed certain to become a central issue in early organizational meetings of the special committee.

Formation of the committee was approved by council members John S. Gibson Jr., Ernani Bernardi, David Cunningham, Robert Farrell, John Ferraro, Gilbert Lindsay, Arthur K. Snyder, Peggy Stevenson, Joel Wachs and Yaroslavsky.

Council members Louis R. Nowell, Pat Russell, Robert M. Wilkinson and Donald D. Lorenzen were not present for the final vote.

The special committee will include Yaroslavsky, Stevenson, Bernardi, Lindsay and Ferraro.

Farrell offered an amendment to empower the ad hoc committee to conduct "investigations relative to other incidents of alleged police misconduct" but it failed by a 3-8 vote.

At the same time the topic was before the City Council, Dowds was hearing lengthy legal arguments on the efforts by CBS and Schrade to have the police files on the investigation opened to the news media and general public.

Both CBS and Schrade were seeking access to the Police Department's 10-volume summary of the investigation. Schrade's petition was broader and asked for release of all physical evidence plus the full 50,000 pages of investigative documents in the possession of the police.

Ultimately, Dowds turned down both petitions on the simple legal point that records of a police investigation are specifically exempted from forced disclosure under the state Public Records Act.

Howard Privett, a Los Angeles lawyer representing CBS, unsuccessfully urged that Dowds adopt the concept in the federal Freedom of Information Act which exempts police agency records only if there is an ongoing investigation.

However, the judge stated, "If anyone is interested in my personal opinion, I think that this long after the event the Police Department and Police Commission could consider disclosure of these records."

Dowds also maintained that the release of the records is "essentially a political question," and added, "If you don't like what the city officials do, throw the rascals out."

CBS and Schrade decided to ask for the court order after the Police Commission denied their requests a month ago.

Schrade's attorney, C. Stephen Howard, said of the commission and the Police Department, "They have stonewalled it, in the parlance of watergate. They have stonewalled it all the way."

Dion Morrow, a special counsel defending the police in this action, took exception to Howard's remark and told Dowds he thought the comment was "grossly unfair" in view of procedures set up by the commission to handle inquiries on the Kennedy case.

The commissioners vetoed the CBS and Schrade requests on the grounds that release of the files would breach the inherent confidentiality of police investigations and violate the privacy of some innocent persons.

But they subsequently established a procedure to answer questions posed about the investigation. The questions are to be written and the replies will be prepared by a committee comprised of representatives from the commission, Police Department and the city attorney's office.

(Mount Clipping in Space Below)

APD Facing Probe Over Kennedy Case

By United Press International

A Los Angeles City Council committee Wednesday approved an investigation of the Police Department's handling of the assassination of Sen. Robert Kennedy. The committee action, which is expected to be approved by the full council, opens a new front in the proliferating probes into the '68 assassination. It was apparently brought on by revelation last week that police destroyed the bullet-punctured ceiling panels removed from the kitchen of the Ambassador Hotel, where Kennedy was shot. At issue in all the investigations is whether a "second gun" may have been fired, in addition to the shot emptied at Kennedy by convicted assassin Sirhan B. Sirhan.

The rules committee, by a 11-1 vote, approved a motion calling for appointment of a five-member committee charged with "reviewing the criminal investigation procedures" used by the department in the case.

The sponsor of the motion, newly elected Councilman Zev Yaroslavsky, declined to describe the scope of the investigation he wants. Council President Dan S. Gibson said that if the motion passes the full council, he will appoint Yaroslavsky to the investigating committee.

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P. 6 EVENING OUTLOOK
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AUG 29 1975	
LOS ANGELES	

ORIGINAL TO THE BUREAU

Proponents of the "second gun" theory argue that the number and angles of bullet holes in the ceiling panels and a door frame might show, when added to the bullets recovered from Kennedy and wounded bystanders, that more shots had been fired than the eight in Sirhan's revolver, proving that another gun was fired in the melee. The theory does not absolve Sirhan, who was seen by scores of witnesses firing at Kennedy from only a few feet away.

Police confirmed last week, under prodding by the council, that the panels had been destroyed five years ago. A police spokesman said the panels were irrelevant to the prosecution of Sirhan, unneeded for the trial and had been subjected to all necessary analyses and investigations before they were destroyed.

The county supervisors have told the district attorney and county counsel to cooperate with efforts to reopen the investigation. A court has ordered Sirhan's gun refired to settle challenges over ballistics evidence.

Yaroslavsky said an investigation by the council is needed because the Police Commission and department have proved they cannot look into the Kennedy case in a "satisfactory manner."

A police spokesman, Cmdr. Joe Gunn, told the rules committee the department would welcome an inquiry into how homicide evidence is handled and disposed of, but doubted the inquiry would be useful. He pointed out that Sirhan's conviction has been upheld twice by the U.S. Supreme Court.

Yaroslavsky has led the effort to add the City Council to county and court investigations of the assassination. He appeared to have won over most of the other members to his view. His motion requesting the Police Commission to turn over all files, records, evidence and other material from the assassination was cosponsored by eight of the 14 other council members. That motion is still in committee but is almost certain to pass. The commission has refused to make public its files on the investigation, and has indicated it will refuse to go along with the council request when it receives formal approval.

Commissioners said that the investigative procedures and the reputations of innocent persons would be harmed by making public all files, but they agreed to provide written answers to written questions.

(Mount Clipping in Space Below)

Questions Date RFK Evidence Destroyed

NEW YORK (AP) — A former congressman made public a memo Wednesday that he said raises questions about when some key evidence relating to the assassination of Sen. Robert F. Kennedy was destroyed.

Allard Lowenstein told a news conference he was trying to resolve apparent discrepancies, and was not proposing a conspiracy theory.

Los Angeles police disclosed last week they had destroyed three ceiling panels from the pantry of the Ambassador Hotel where Kennedy was killed on the night of the California presidential primary, June 5, 1968. The panels were said to contain three bullet holes.

Lowenstein, a former Democratic congressman and a initiator of the 1968 "dump Johnson" movement, quoted Los Angeles Police Chief Daryl Gates as saying the panels were destroyed in June 1969.

But Lowenstein distributed copies of what he said was a memo from a board of inquiry to Chief of Police E. J. Davis reporting on a probe that claims that errors were made in the technical investigation.

Dated Oct. 11, 1971, it calls the probe a "re-evaluation of the evidence" and says: "An inspection of the ceiling tiles removed from the pantry and study of the schematic diagram showing the trajectory of the bullets fired by Sirhan refute the contention ..."

(Indicate page, name of newspaper, city and state.)

A-4 HERALD EXAMINER
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OCT 12 1975	
LOS ANGELES	

67C

How Lowenstein asked, could the board of inquiry have inspected the ceiling tiles in 1971 if they were destroyed in 1969? If they did not study the tiles, what evidence did they study? he asked.

Lowenstein maintains that the tiles, combined with other evidence, may raise a question as to whether nine shots were fired. The gun used by Sirhan, who was convicted as the killer, held eight bullets.

(Mount Clipping in Space Below)

Gibson Jr. Urged To Head RFK Probe

By D.N. OPPENHEIMER

Herald Examiner Staff Writer

City Council President

John S. Gibson Jr. would be authorized to appoint a special committee to probe the Police Dept.'s investigation of the 1968 Sen. Robert F. Kennedy assassination under a Rules Committee proposal.

The Council's Rules Committee voted 3-1 yesterday for the probe, originally proposed by Councilman Zev Yaroslavsky.

Yaroslavsky asked that Gibson be authorized to appoint an ad hoc committee to review the criminal investigation procedures as carried out by the Police Dept. in connection with the Kennedy assassination.

He said the special committee should include the chairpersons of the Council's Governmental Efficiency; Police, Fire and Civil Defense; and State, County and Federal Affairs committees as two other council members.

Rules Committee Chairman Louis R. Nowell cast the only dissenting vote after suggesting that a standing council committee could review the investigation without the need for a special panel.

Speaking for the Police Dept., Cdr. Joseph Gunn said the agency would welcome a review of its criminal investigation procedures, but discouraged specific reopening of the Kennedy case.

He said property taken by the Police Dept., after Kennedy was shot was disposed of the same way as police spoils of property in other homicide cases.

He also noted that the conviction of Sirhan B. Sirhan for Kennedy's murder has stood to U.S. Supreme Court.

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AUG 29 1975	
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b7c

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Panel OKs Kennedy Case Study

BY JOHN KENDALL

Times Staff Writer

Members of the City Council Rules committee voted Wednesday to review the criminal investigation procedures followed by the Los Angeles Police Department in probing the assassination of Robert F. Kennedy.

Specifically, the committee approved Councilman Zev Yaroslavsky's resolution requesting Council President John S. Gibson Jr. to appoint a special five-member committee to conduct the study.

After the Rules Committee's 3-1 action, Gibson said the full council probably would approve formation of the ad hoc committee when the question is considered, possibly within a week or 10 days.

Yaroslavsky called for the special committee after Asst. Police Chief Waryl Gates disclosed last week that ceiling panels taken from the Ambassador—where Kennedy was shot June 5, 1968—were destroyed a year later.

The freshman councilman charged that has been proved that the LAPD and the Police Commission cannot conduct an investigation in a "satisfactory manner."

Yaroslavsky again made it clear Wednesday he has little or no faith in the Police Commission, which, he said, had "stonewalled" for a year and a half the fact that items booked as evidence were missing.

He said that only after the City Council produced public testimony by Gates that the ceiling panels were missing did the Police Commission confirm it.

Gates told councilmen that two ceiling panels that had bullet holes in them had "absolutely no value whatever" as evidence because the "real important testing" was done before their removal from the hotel's entry.

It was not immediately clear Wednesday just how wide-ranging the review of LAPD investigation procedures might be—provided the ad hoc committee eventually is approved.

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SERIALIZED	FILED
AUG 29 1975	
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LAPD Comdr. Joe Gunn told the Rules Committee the department would welcome an inquiry into its procedures in homicide cases, including how items booked as physical evidence are disposed of.

However, he expressed doubt about the usefulness of an inquiry into the Sirhan B. Sirhan case, which he said had been upheld in two appeals to the California Supreme Court.

Yaroslavsky declined to elaborate on what he meant by the words "reviewing the criminal investigation procedures" in his resolution, but he indicated what he had in mind was of much wider scope than Gunn's suggested limitation.

Yaroslavsky's proposal called for appointment of Chairpersons Peggy Stevenson of the Council's Government Efficiency Committee, Gilbert Lindsay of the Police, Fire and Civil Defense Committee and Ernani Bernardi of the State, County and Federal Affairs Committee.

In addition, Gibson would be empowered to appoint two other members. Gibson said Wednesday that if the ad hoc committee finally is approved, he would appoint Yaroslavsky and probably Councilman John Ferraro, a former member of the Police Commission.

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-Caution On Files Needed

Los Angeles city police commissioners have a right to be wary of requests to make public information on the 1968 assassination of Robert F. Kennedy.

Police interviewed everyone they knew who was at the Ambassador Hotel on the evening of the assassination. Some were male guests having a night on the town without their wives.

Clearly, the privacy of some legally innocent persons would be invaded if these interviews in the possession of the commission are made public. Furthermore, such a move might impede future investigations. Witnesses would tend to be less candid if they couldn't trust police to keep private data, immaterial to the case, confidential.

We acknowledge that commissioners will be accused of "covering up" or standing in the way of the public's right to know if they keep everything locked up. But if it is made public, commissioners will be vulnerable to allegations that they aided and abetted snooping. That couldn't do, either.

This being the case, the commission probably would be wise to draw the line in favor of the confidentiality of police investigations unless overruled by the courts.

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AUG 27 1975	
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b7c

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Bullet-Pocked Panels At RFK Site Destroyed

By THEO WILSON

Staff Correspondent of The News

Los Angeles, Aug. 20—Bullet-pocked ceiling panels from the Ambassador Hotel's pantry, where Sen. Robert Kennedy was assassinated in 1968, have been destroyed.

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was revealed today.

The disclosure was made by Dion Morrow, a special counsel in the city attorney's office, in an article in The Daily Journal, the local legal newspaper. He said later that two ceiling panels were destroyed "routinely" after they were used to conduct ballistics tests because they were not used in evidence, and were not considered important.

Immediately after the report appeared, the City Council ordered Morrow and police officials to appear tomorrow to discuss the allegations. Yesterday nine councilman joined in a motion urging the police to make public the physical evidence in the RFK assassination case and the 10-volume police summary of the investigation.

Police Department Sued

The Police Department has refused to make these public, and is being sued for access to the evidence and the volumes by Paul Schrade, a former United Auto Workers Union official who was wounded when Kennedy was shot down, and by CBS.

Last week Schrade won a court order to have the gun used by convicted assassin Sirhan Sirhan re-fired, because of the controversy over the ballistics evidence introduced at Sirhan's trial. Some experts contend there is a possibility that more than one gun was used during the assassination.

Morrow denied today that he said much of the physical evidence had been destroyed. He said the left sleeve of Kennedy's coat was cut away so that his wounds could be treated, and the piece of cloth disappeared, but this had been revealed during the trial.

In The Daily Journal article, Morrow was quoted as saying:

"There were no X-rays made of the ceiling panels, and the panels were destroyed in June of 1969. There was no place to keep them—you can't fit ceiling panels into a card file.

No Bullet Holes

"The left sleeve of the senator's coat disappeared before the trial. But there was no significance to the sleeve — Kennedy's shirt is in the possession of the court and there are no bullet holes in the left sleeve."

Councilman Zev Yaroslavsky, who introduced the motion urging the Police Department to make the evidence public, said that, "as far as I know, this is the first time that anyone has indicated that some of this information is no longer around. This is not a normal homicide . . . and that one year after the assassination some pertinent evidence such as the ceiling panels was destroyed raises some serious questions."

Yaroslavsky said he and the other members of the Council who joined in the motion believe the public has a right to know the answers to questions which have arisen about the assassination.

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C

Council Urged to Review Robert Kennedy Inquiry**BY ERWIN BAKER**
Times City Bureau Chief

Los Angeles Councilman Zev Yaroslavsky Friday called for appointment of a special five-member City Council committee to investigate the "criminal investigation procedures" of the Police Department in the 1968 assassination of Sen. Robert F. Kennedy.

Yaroslavsky, who spearheaded a council inquiry into reports that some key evidence in the Ambassador slaying is missing, said it has been "proven" that the department and the Police Commission cannot conduct an investigation in a "satisfactory manner."

A motion by the freshman councilman requesting the inquiry was sent to the Rules Committee by President John S. Gibson Jr.

The motion asks Gibson to appoint to the committee Peggy Stevenson, chairperson of the Governmental Efficiency Committee; Gilbert W. Lindry, chairman of the Police, Fire and Civil Defense Committee; Councilman Ernani Bernardi, chairman, State, County and Federal Affairs Committee, and two other council members of his choice.

Another motion by Yaroslavsky, asking the Police Department to make public its investigative files and physical evidence in the case, is scheduled for a hearing by the Police, Fire and Civil Defense Committee Sept. 2.

The police Commission has refused to make the department's investigative files, including a 10-volume summary of the assassination investigation, open to the public.

However, it established a procedure Thursday for answering questions by persons interested in the assassination investigation. Questions would be posed in writing and be answered in written form by a committee consisting of Police Commissioner Mariatte R. Pfaelzer, Asst. Chief Daryl Bates, two police investigators and a representative of City Atty. Burt

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SERIALIZED	FILED
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FBI - LOS ANGELES	

b7c

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LA Police Panel Hit

By United Press International

Los Angeles City Councilman Zev Yaroslavsky says he has lost confidence in the city Police Commission and wants someone else to investigate the disappearance of materials related to the assassination of Robert Kennedy.

Yaroslavsky, 36, whose district includes West Los Angeles and Westwood, has spearheaded recent moves to get the police to open up their files on the 1968 shooting to authorities directing a probe that might indicate whether convicted assassin Sirhan Sirhan really was the only gunman involved.

Earlier this week it was revealed, partially as a result of a motion introduced in the council by Yaroslavsky, that police had destroyed some files and materials one year after Kennedy's death.

"I have lost some of my confidence in the Police Commission," Yaroslavsky complained Friday. "I have to assume they knew some of the evidence was missing."

"The commissioners have been requested to explain or reveal the whereabouts of some of the evidence and material in the past."

"They haven't done so, except under the pressure of a public eye here in the last couple of days."

Yaroslavsky's latest motion asks Council President John Gibson to name a five-member ad hoc committee to review the police department's investigation of the Ambassador Hotel shooting.

Earlier this week he introduced a motion urging police to cooperate fully with a county probe of the original investigation. The examination will be directed by former Kennedy aide John Kranz.

(Indicate page, name of newspaper, city and state.)

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AUG 26 1975	
FBI - LOS ANGELES	

b7c

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City to Probe Report of Lost Kennedy Data

Council Asks Police, City Attorney Officials to Appear on Issue Today

BY WILLIAM FARR

Times Staff Writer

Representatives of the Los Angeles Police Department and the city attorney's office have been asked to appear before the City Council today to discuss reports that some key evidence in the Robert F. Kennedy assassination is missing.

The council voted 9 to 3 Wednesday to take up the issue today after councilman Zev Yaroslavsky said he had been informed that certain evidence was missing or destroyed, including ceiling panels from the pantry at the Ambassador where Kennedy was mortally wounded.

The panels are considered by some to be of crucial importance because of questions about the trajectory and number of bullets fired the night Kennedy was shot.

Yaroslavsky said the first he knew of the supposedly missing evidence was when he read an article in the Daily Journal, a legal newspaper, quoting Dion Morrow, a special counsel in the city attorney's office.

Morrow, contacted in Sacramento where he was testifying on behalf of city-sponsored legislation, said he had been informed by the Police Department that two ceiling panels taken from the pantry were destroyed in June, 1969, a year after the assassination.

Morrow said the decision reportedly was made by a low echelon member of the Police Department who noted the panels had never been introduced at the trial of Sirhan B. Sirhan, who was convicted of Kennedy's murder. In asking the council to conduct an immediate hearing on the issue rather than refer it to a committee for study, Yaroslavsky said:

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AUG 21 1975	
LOS ANGELES	

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"This is not a normal homicide. This was an assassination which had ramifications not only throughout this country but throughout the world, and in that one year after the assassination some evidence such as the ceiling panels was destroyed raises some pertinent questions."

He was joined in asking for a immediate hearing by the same group consisting of members of the House and Senate, who motioned asking the Police Department to make public its investigative files and physical evidence in the case.

Today's motion by Yarosky was referred to the council's Police, Fire and Civil Defense Committee. Councilmen Edward Bernard, Donald Lorentzo and Louis Nowell unsuccessfully sought Wednesday to have the missing evidence issues also referred to committee. A vote was won now it isn't soon enough said O

The delays until today in dealing with the questions came when Robert Thompson, the Journal's assistant city editor and police correspondent Joseph Quinn said the questions would have to be answered by experts familiar with the case — not Yarosky.

Yarosky said he had been told that the left sleeve of Kennedy's coat was missing and that the ceiling panels and spectrographic tests on the bullets were not available.

Thompson pointed out that there had been a public disclosure even before Sirhan's trial seven years ago that the sleeve was missing, apparently having been cut off while persons attempted to give medical aid to the assassin.

Morrow said the ceiling panels were never moved by police and no spectrographic analysis of the bullets was conducted.

Morrow said he had been in Sacramento and would be in San Francisco before the council to answer questions providing they did not prejudice pending civil suits connected with the review of the investigation.

Morrow is representing the city and the Police Commission in actions suits filed in an attempt to make the Kennedy assassination evidence available to the public and the news media.

(Mount Clipping in Space Below)

Council Urged To Probe Missing RFK Slaving Data

City Councilman Zev Yaroslavsky will urge his colleagues today to call for an official accounting of evidence from the June 5, 1968, assassination of Sen. Robert F. Kennedy.

The Council yesterday delayed for one day a decision on a Yaroslavsky resolution that was triggered by a published statement that some evidence had been lost or was tossed away.

Yaroslavsky said he wants to know why bullet-scarred ceiling panels were reported to have been scrapped, and how the left sleeve of Kennedy's coat had been lost. He said he also wants to know why no X-rays had ever been taken of the ceiling panels and why there were no spectrographic analyses of bullets and bullet fragments fired during the Ambassador Hotel shooting, for which Sirhan B. Sirhan was convicted of murder.

The motion came before the council yesterday after the Morrow of the City Attorney's office was quoted in published reports as saying he learned that police had destroyed the ceiling panels in routine fashion and that no spectrograph was ever used to analyze the bullets.

It was known at the time of the Sirhan trial that Kennedy's coat sleeve was missing.

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AUG 21 1975	
FBI - LOS ANGELES	

b7c

Yaroslavsky said he does not understand how they could dispose of the panels in a routine fashion when this is not a routine case."

The purpose of his motion before the council today is to have the Police Dept. and City Attorney's office "advise the council as to the existence and location of statements by eyewitnesses, the 10-volume summary of the investigation, the raw files, a door jamb taken at the scene, re-enactment films and still photos."

"Some questions have been asked and we ought to answer them," Yaroslavsky said. "We want to get on record the evidence that has been retained and see to it that nothing else is disposed of."

(Mount Clipping in Space Below)

Some Material on Kennedy Destroyed

2 Ceiling Panels 'Proved Nothing,' Police Tell Council

BY WILLIAM FARR
Times Staff Writer

Two ceiling panels taken from the Ambassador pantry where Sen. Robert F. Kennedy was fatally shot were routinely destroyed a year after the assassination because they proved absolutely nothing," Asst. Police Chief Daryl Gates told the Los Angeles City Council Thursday. Gates had been summoned before the council as the result of a motion picture by Councilman Zev Yaroslavy expressing concern over reports that several items of evidence in the case were missing.

During a discussion before the council Thursday, Yaroslavy told Gates:

"One would have thought that after all of the problems with the John F. Kennedy assassination, the Police Department would be a little more sensitive to the preservation of evidence."

Yaroslavy made specific reference to the missing panels and also wanted to know the whereabouts of the X rays of the panels, spectrographic tests on the bullets and the left sleeve of Robert Kennedy's coat.

Gates countered that these items were not technically evidence since none of them had been introduced at the trial of Sirhan B. Sirhan, convicted of the assassination in 1968.

Dion Morrow, special counsel to the city attorney's office on the Kennedy matter, told the council that all of the evidence introduced at the trial was in the possession of the Superior court clerk, not the Police Department.

There have been questions recently about the possibility of a second shot fired in the pantry the senator was fatally shot.

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AUG 23 1975	
LOS ANGELES	

b7c

Some critics of the police investigation. Two weeks ago, the commission claim that the ceiling panels are had turned down formal requests by of crucial importance because the CBS and Paul Schrader to make the number of bullet holes in the ceiling Police Department's investigative could determine whether more shots were fired than could have come from Sirhan's eight-shot Iver Johnson 22-caliber pistol.

Asked about the value of the ceiling panels, one of the five ing panels as evidence, Gates replied: the night Kennedy was fatally shot, "They have absolutely no value have taken court action in an effort whatsoever. All of the testing, the to open the Police Department files, real important testing, as far as. Although they had vetoed the re- trajectory and the line of fire and the guest by the television network and number of bullet holes, that was Schrader, several commissioners felt done prior to their removal (from the that a method should be developed ceiling).

"The removal was done simply be- The procedure announced Thurs- cause we were making a very ex- day calls for the questions to be- haustive examination of every con- posed in writing. They will be an- ceivable material. . . We made those answered in written form by a commis- tests and they showed, absolutely, Marian Foelzel, Gates, two police- nothing. They did nothing so far as investigators and a representative of supporting the investigation or sup- the city attorney's office. The procedure also allows for the porting the guilt or innocence of any- The procedure to meet with a representa- one."

Gates said X rays of the ceiling pa- tive of this group if elaboration nel had been made, a statement that the answer is sought. In announcing the procedure, Com- contradicted Morrow's assertion Wednesday that the panel were not mis- said: President Samuel Williams X rayed.

"The records of the X rays and the we have to provide the fullest X rays themselves are not in ex- possible access to the material while did make a spectrographic analysis. In doing everything in our power to version and that of Morrow. Lag the doing everything in our power to protect the rights of privacy of in- Gates also said that reports that no recent individuals and the integrity spectrographic tests were made on of the Police Department's investiga- the bullets probably are inaccurate. tive process."

Referring to criminalist DeWayne Williams expressed dismay that Wolfer, Gates said, "His memory is Yaroslavsky took the matter up be- hazy about it but . . . he believes he fore the full council and asked that did make a spectrographic analysis. he future inquiries by councilmen be di- Ordinarily he would not have con- sidered to the Police Commission to- ducted a spectrographic analysis but rected to the Police Commission to- because we were being so thorough, I asked.

It was explained at an earlier ses- sion of the council that the left sleeve to Kennedy's coat had disappeared prior to Sirhan's 1968 trial and is be- lieved to have been cut off by per- sons who were attempting to render medical aid to the senator. In a related development Thursday, the Police Commission established a procedure for answering questions posed by persons interested in the as- sassination investigation.

(Mount Clipping in Space Below)

Bugliosi Role in Kennedy Case

It is truly unfortunate that on the Robert F. Kennedy assassination the editors at The Times are apparently out of touch with the basic facts in his case, certainly out of touch with his community's attitude about this case, and totally unaware of the concerned mood of the entire country on his crucial, unresolved controversy.

For you to insinuate—as you did in your editorial (Aug. 20), "New Data—or New Ploy"—that my personal commitment to help resolve this controversy is selfish and politically motivated, is an affront to my professional integrity.

When I met with you on the afternoon before your editorial appeared, your top editors hadn't even read my letter to the Los Angeles County Board of Supervisors, dated Aug. 18. All you knew was what you'd read somewhere about the "vital new data" referred to in my letter. Yet, you were fully prepared to attack me without the full facts of my position before you. This is hardly what one would call "responsible journalism." However, even after I personally provided you with a copy of that entire letter, you ignored the main portion of its contents, choosing instead to twist one small paragraph into meaning something it does not.

As I very distinctly informed you, this "vital new data" does not belong to me; it is the exclusive property of my clients—two highly credentialed men who have devoted more than seven years in the assembling of this investigative data.

You also conveniently failed to point out that a lawyer-client relationship precludes unauthorized disclosure of their data. Furthermore, you ignored the most obvious and stated reason why my clients will only turn over this new data to prosecutors and investigators other than those originally assigned to this case: namely, that the original prosecution team conducted one of the sloppiest, most inept prosecutions in Los Angeles County history.

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AUG 26 1975	
LOS ANGELES	

b7c

Moreover, as I stated in my letter, the original team may well be "disposed towards discouraging the introduction of any evidence which would be professionally embarrassing to them, and desirous of preserving and supporting conclusions they have previously reached." (Which, as everyone now knows, is precisely the case.) However, both the Board of Supervisors and the public do have the right to know that such new data does exist, and that "at an appropriate time and under appropriate circumstances" it definitely will be turned over to responsible authorities.

In conclusion: lest my position again be distorted by the editors at The Times, it is not my contention that Sirhan wasn't involved in Sen. Kennedy's assassination. The evidence is clear that he was, and therefore his conviction was a proper one. The only real question left is: were there others involved?

VINCENT T. BUGLIOSI
Beverly Hills

(Mount Clipping in Space Below)

Officer rdered Items Destroyed

By United Press International

Missing ceiling panels from the hotel pantry where Robert Kennedy was assassinated in 1968 apparently were destroyed by "lower echelon" police officer one year after the shooting, according to special counsel in the city attorney's office.

Special counsel Dion Morrow said the decision to destroy the panels apparently was made in June, 1969, by the police employee because the trial of convicted assassin Sirhan Sirhan was over and they were never introduced in evidence.

Representatives of the Los Angeles police department and city attorney's office were summoned to appear before the City Council today to explain how the panels came to be destroyed and to discuss the possible disappearance of other pieces of evidence.

Critics of the original investigation into the Kennedy assassination have sought to look at the Ambassador Hotel ceiling panels. They claim an examination of the bullet holes could help determine how many bullets were fired and from what direction.

But Morrow, contacted in Sacramento after a story quoting him appeared Wednesday in the Los Angeles Daily Journal legal newspaper, suggested the missing panels were not of great significance.

"Even if you have the panels you couldn't put them back because you couldn't know where they are in the first place," he said.

"In my opinion they would not have any great significance."

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b7c

City councilman Zev Yarowsky, who introduced a motion Tuesday asking police to cooperate with a reexamination of trial evidence designed to indicate whether there might have a second assassin, disagreed.

"For the longest time we weren't even aware that the ceiling panels no longer existed," Yarowsky said. "All of a sudden, it comes to the attention of the public through a newspaper story that they were destroyed."

"This was an assassination which had ramifications not only throughout this country but throughout the world, and that one year after the assassination some pertinent evidence such as the ceiling panels was destroyed raises some serious questions."

"There was no place to keep them (the panels)," Morrow explained. "You can't fit ceiling panels into a card file."

Morrow, who represents the city in various civil suits filed in an effort to open up the assassination evidence and files to the public, also said there were no X-rays made of the panels and no spectrographic evidence made of the bullets fired from Sirhan's gun.

"X-rays would not add anything," he said. "The panels were in place at the time the forensic chemist studied the scene. They were used to check the trajectory (of the bullets). He said the bullets were never examined for lead content because 'in this case, there was no reason.'"

(Mount Clipping in Space Below)

Politics Asks Review of RFK Assassination

By D. N. OPPENHEIMER
Herald-Examiner Staff Writer
City Councilman Zev Yaroslavsky today will ask his colleagues to conduct a high-level review into the police investigation of the 1968 assassination of Sen. Robert F. Kennedy here.

The city Police Commission, meanwhile, opened its doors slightly to persons seeking information on the availability of evidence in the case.

The Yaroslavsky motion today will ask Council President John S. Gibson to name five city lawmakers to an advisory review committee. The move will follow the defeat yesterday of Yaroslavsky's effort to question police and City Attorney officials about disposition of the evidence.

Council, by a 4-6 vote, defeated Yaroslavsky's motion and the officials into chambers, but Gibson ruled that members of the council could not meet with Dion Morrow of the City Attorney's office and Police Chief Daryl Gates before voting on the proposal.

The Gibson ruling paved the way for two hours of council questioning and Yaroslavsky ultimately voted against his own motion, saying "we already accomplished what we sought to accomplish."

During the grilling, Gates told the council that ceiling panels and X-rays of the panels taken from the shooting scene at the Ambassador Hotel had been destroyed after police closed the Kennedy case because "they simply had absolutely no bearing on the case."

(Indicate page, name of newspaper, city and state.)

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Gates said the case was ~~considered~~ closed after the murder conviction of Sirhan B. Sirhan was upheld by the Supreme Court.

Morrow said he may have been in error when he said there had never been spectrographic analysis of bullets and bullet fragments but denied that he told a news reporter no X-rays had been taken of the bullet-scarred ceiling panels.

He said he told the reporter that he believed no X-rays existed now.

The Police Commission yesterday agreed with a department report that evidentiary material still held by the department could not be released to various litigants involved in civil lawsuits, related to assassination, which are pending in the courts.

But Commission President Sam Williams named Commissioner Mariana R. Pfaelzer, Chief Gates, a member of the city attorney's office and two police investigators to screen all future written requests for access to material still in the department's hands.

(Mount Clipping in Space Below)

Couns For RFK Probe Sworn In

Beverly Hills attorney Tom Kranz, formerly an aide to the late Sen. Robert F. Kennedy, will be sworn in today as a special counsel to probe the evidence that sent Sirhan B. Sirhan to a life prison term.

Following the swearing-in at the downtown Criminal Courts Building, he will begin the examination of the gun and bullets that were believed to be the weapons Sirhan used to kill Kennedy at the Ambassador.

The Board of Supervisors authorized reopening of the case and the hiring of a special deputy to work with Acting Dist. Atty. John Howard.

Under county charter provisions, Kranz, who will take a leave of absence from the law firm of Alexander, Inman and Fine, will receive \$2,007 monthly on a 60-day basis. An extension must be requested at the end of the 60 days by Kranz.

Officials refused to speculate how long the investigation would last.

Kranz was a political aide to Kennedy during his 1968 presidential campaign and in the California primary election effort by the senator.

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67C

The supervisors authorized the reopening of the case after Supervisor Kenneth Hahn formally moved that Howard be asked to find some way "to resolve the concern and doubt in the public mind on some of the aspects of Sen. Kennedy's assassination."

Howard clashed with Supervisor Baxter Ward over Ward's statement that the district attorney's office had a conflict of interest against reopening the probe, particularly since Howard had prosecuted Sirhan.

"I do not intend to allow any charges of cover-up or conflict of interest to stand as Supervisor Ward so unjustly charged," said Howard. "I do not intend to throw up road blocks."

Howard said both he and the late Joseph P. Busch had discussed the possibility of a reexamination of evidence.

Neither Howard nor any of the supervisors said they doubt Sirhan's guilt.

(Mount Clipping in Space Below)

Howard Gets Report on Assassination Evidence

BY WILLIAM FARR
Times Staff Writer

Acting Dist. Atty. John Howard Saturday received a copy of a report from the American Academy of Forensic Sciences' special committee that has recommended reexamination of the bullet evidence in the Robert F. Kennedy assassination case.

Howard, one of the prosecutors who tried Sirhan Sirhan for the Kennedy shooting, said he would not comment on the report until after fully studying it.

However, he said, he and his staff have been "exploring the possibility of reopening the case in a judicial forum.

"When and if we take another look at this thing, it will be in a courtroom where the strict rules of evidence will apply," Howard said.

The recommendation to reexamine the bullet evidence was contained in a special report prepared by a three-man ad hoc committee appointed March 24 by the academy's president, Dr. Robert Joling of Tucson.

Chairman of the committee was Dr. Ralph F. Turner, a professor of criminal justice at Michigan State University. The other two members of the panel were James Osterburg and Thomas Johnson, who hold similar posts on the faculties of the University of Illinois and the University of Kentucky, respectively.

After the AAFS executive committee heard the Turner committee's report, Joling issued a statement that the executive committee had concluded a reexamination of the physical evidence in the case "could be helpful in clarifying the circumstances of Robert F. Kennedy's death.

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JUL 23 1975	
LOS ANGELES	

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According to the report delivered to Howard, the ad hoc committee examined numerous documents and transcripts and as a result "believes that legitimate forensic questions in the Robert F. Kennedy case have been raised."

The report states, "The committee also feels that, given access to original evidence, there is more than a reasonable possibility that these questions can be answered."

The major question, the committee feels, is whether the bullet which struck Kennedy in the neck matches the one which hit bystander William Weisel in the stomach.

Turner said that it was the feeling of the committee that these bullets also should be compared with a bullet from trial exhibit No. 55, which Los Angeles Police Department criminalist DeWayne Wolfer testified

was test fired from Sirhan's gun.

Turner, in an interview after he presented his committee findings in St. Louis, said the committee examined microscopic photographs of the bullets taken by Pasadena criminalist William Harper.

Basing their conclusion on these photomicrographs, Turner said he and his colleagues on the committee observed "gross differences" in the Kennedy and Weisel bullets.

Responding to criticism that the findings have been reached without looking at the original evidence, Turner said:

"What we are asking now is that a panel of neutral experts be given access to the original evidence. I have no real interest in speculating based on photographs but up to now the original evidence has not been available for reexamination."

Turner's committee recommended that another panel of three recognized firearms identification experts be appointed to directly examine the gun and bullet evidence and possibly refire the Sirhan weapon if that is necessary to clarify apparent differences in the bullets now in evidence.

Joling appointed the ad hoc committee headed by Turner after a movie titled "The Second Gun" was shown at the academy's general membership meeting last February in Chicago.

This film presents the theory that there was another gun besides Sirhan's firing when Kennedy was shot down seven years ago in the pantry of the Ambassador.

(Mount Clipping in Space Below)

Release Files on Sen. Kennedy Claying Urged

BY WILLIAM FARR
Times Staff Writer

Paul Schrade, who was seriously wounded as he stood near Robert F. Kennedy the night the senator was shot down in the Ambassador pantry, Thursday asked the Los Angeles Police Commission to make public all investigative files on the case.

In making a formal appeal to the five-member commission at a jam-packed public hearing, Schrade said:

"I have the legal and moral right to learn if anyone other than Sirhan Sirhan was firing a gun in there . . . I have that right as a victim of that assault who was nearly killed."

Schrade was joined by CBS-TV and former New York Congressman Alford K. Lowenstein in asking that the police Department's 10-volume summary of the assassination investigation be opened to inspection.

Citing the "serious ethical and legal questions" posed by the request, commission President Sam Williams took the matter under submission and indicated the commission would attempt to give its answer at next week's meeting.

Commissioners Robert Weil and Mariana Placzer expressed concern whether the commission could or should waive confidentiality inherent in all police investigations.

"I realize this is indeed a nationwide and worldwide matter of concern," Weil said. " . . . but shouldn't our position be the same whether it involves a renowned public figure or an insignificant little figure? If we do

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FBI - LOS ANGELES	

ORIGINAL TO THE BUREAU

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It in this case, do we have to do it for everyone?"

Weil said he was worried that the release of the 10 volumes might damage "completely innocent parties" who had some derogatory reference made about them during the investigation.

Schrade's attorney, C. Stephen Howard, suggested that unnecessarily harmful information could be excised and suggested that a neutral panel, possibly appointed by the Los Angeles County Bar Assn., could perform this task.

Schrade and his attorney argued that the confidentiality of the 10 volumes has already been violated with the publication of a book titled, "Special Unit Senator." The book, written by then chief of detectives Robert Houghton, fully detailed the police investigation.

Schrade also maintained that ABC-TV newsmen Pete Noyes and a German journalist already have gained access to the 10 volumes.

Lowenstein, who currently is serving as a consultant to Gov. Brown on educational matters, told the commissioners they should open the Police Department's records on the case "to stop the spread of gossip."

"There is the need to dispel the feeling that people in high places conceal rather than reveal what people have the right to know," he said. Lowenstein made reference to an American Academy of Forensic Science's special committee report recommending that the bullet evidence in the case be reexamined.

This report indicated that there were "gross differences" in the bullet that struck Kennedy in the neck and another that hit bystander William Weisel in the stomach.

"It is now out of the bottle and will not go back in," the former congressman said.

(Mount Clipping in Space Below)

Comm. tee Sees Value In RFK Slaying Probe

ST. LOUIS (UPI) — A committee of the American Academy of Forensic Sciences says a further investigation of the 1968 assassination of Sen. Robert F. Kennedy could be valuable in determining circumstances surrounding the slaying, perhaps clarifying how many weapons were involved.

Meeting here during the weekend, the executive committee of the academy adopted a resolution indicating such an investigation could be helpful in clearing up such questions as whether a second gun was used in the killing or whether Sirhan B. Sirhan acted alone.

Kennedy, younger brother of President John F. Kennedy who was assassinated in 1963, was killed in a passageway of the Ambassador Hotel in Los Angeles June 5, 1968, after winning the California primary in his quest for the Democratic nomination for president.

Kennedy was on his way through the hotel kitchen when he was struck down. Supporters of the New York senator grabbed Sirhan and held him for authorities.

Since the killing some persons have questioned whether all of the shots fired that night came from the same gun.

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SEARCHED	INDEXED
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FBI - LOS ANGELES	

ORIGINAL TO THE BUREAU

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**EXPERTS RE-
NEW PROBE OF
ASSASSINATION****BY WILLIAM FARR**
Times Staff Writer

ST LOUIS—A special committee of the prestigious American Academy of Forensic Sciences recommended Sunday that the Robert F. Kennedy assassination case be reopened to deal with apparent discrepancies in bullet evidence.

Findings of the three-man special committee were presented to the academy's executive committee by Dr. Ralph F. Turner, a professor at Michigan State University's school of criminal justice.

"We feel unequivocally that legitimate questions have been raised re-

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regarding the firearms identification and we feel that an attempt should be made to answer these questions," Turner said.

Following Turner's report, academy president Dr. Robert Joling of Tucson, Ariz., issued a cautious statement that the executive committee had concluded that "a reexamination of the physical evidence could provide additional information which could be of value in clarifying the circumstances of the death of Robert F. Kennedy."

Joling declined to make any comment beyond the statement, but Turner talked at length with reporters about the findings of his committee.

He said he would be "shocked" if the case were not reopened, but added, "We are in no position at this time, not having looked at the original evidence, to predict what the outcome of such a reexamination would be."

The major area of study by Turner's committee was a set of microscopic photos taken five years ago by William Harper, a veteran criminalist from Pasadena.

Turner said that these photomicrographs taken by Harper with a Balliscan camera showed distinct differences between a bullet which struck Kennedy in the neck and another that hit bystander William Weisel in the stomach.

The senator was fatally wounded June 5, 1968, in the pantry of the Ambassador Hotel in Los Angeles. Weisel recovered from his wound.

Harper detailed his conclusions in a March 28, 1970, affidavit that led to the so-called "second gun" theory.

At Sirhan Sirhan's trial on charges of killing Kennedy, Los Angeles Police Department criminalist De-Wayne Wolfer testified that both the Kennedy and Weisel bullets were fired by Sirhan's gun.

But Harper subsequently maintained that his examination showed there was a 23-minute, or 14%, rifling angle difference between the Kennedy neck bullet and the Weisel stomach bullet.

Qualifying his viewpoint by saying that it was based on observation of Harper's photos, Turner said Sunday that he agreed with Harper's findings on the rifling angle difference.

He also said he did not think bullets showing that much of a discrepancy could have been fired by the same gun.

(Mount Clipping in Space Below)

Robert Kennedy Case Still Stirs Questions

Pressure to Reopen Assassination Inquiry Includes Gun, Bullet Holes

BY WILLIAM FARR and JOHN KENDALL
Times Staff Writers

Pressure is growing to reopen the Robert F. Kennedy assassination case and address again the question, "Was Sirhan Bishara Sirhan the lone gunman?"

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67C

To most Americans, it must seem as Allard K. Lowenstein, a former congressman from New York, who is now working as an aide, on a temporary basis, to Gov. Brown, demands that Sirhan acted alone at 12:15 a.m. June 5, 1968, when he emptied a revolver at Kennedy in the pantry of the Ambassador Hotel.

The 42-year-old senator, shot down in triumph after winning California's Democratic presidential primary, died about 25 hours later. Sirhan was convicted, sentenced to death, then given life in prison.

Not everyone is satisfied, however, with the answer provided early in 1969 at Sirhan's three-month trial. A few conspiracy buffs, the answer that Sirhan acted alone was never satisfactory.

Now, there is a growing chorus of those who do not talk about conspiracy, but rather call for reexamination of apparent anomalies in the physical evidence collected in the case.

Just before his death on June 27, Dist. Atty. Joseph P. Busch had considered ways to reopen aspects of the case, possibly through a special master appointed by the California Supreme Court.

Busch had not changed his opinion. He still firmly believed Sirhan was the lone gunman. But, associates said, he recognized a possible need to restore public faith that nothing about the case remained untold or undiscovered.

In recent weeks and months, some of the nation's best-known newspapers have published stories examining doubts raised about the assassination.

Ted Charach, a Los Angeles-based Canadian-born journalist who early questioned the official version of the Kennedy assassination, has produced and toured the nation with a film documentary called "The Second Gun."

Germany's Stern Magazine recently offered its answer to whether there was a second gunman in an RPK as one assassination article entitled "The Real Murderer is Still Free."

Rep. Henry B. Gonzalez (D-Tex.) introduced a measure in Congress last February to establish a select committee for a broad investigation of the assassinations of John and Robert Kennedy, the Rev. Martin Luther King and the attempted assassination of Gov. George C. Wallace. He has 39 cosponsors for the bill.

permitted to:

—Refire Sirhan's gun to check DeWayne Wolfer, head of the Los Angeles Police Department's Scientific Investigation Division.

—Examine bullet holes in soundproofing ceiling panels from the pantry and in the right shoulder-pad area of Kennedy's coat to determine the number and the direction of bullets which struck them.

—Analyze evidence bullets through a neutron activation process to determine whether all the bullets were fired from Sirhan's gun.

—Read the illustrated, 10-volume summary of the LAPD's investigation of the Kennedy assassination.

To some, perhaps many, "Lowenstein's demands may seem startling—if not excessive—when considered in juxtaposition with the LAPD's most intensive investigation ever and Sirhan's three-month trial.

Certainly, to prosecutors who helped convict Sirhan, to police officers who investigated the case, it is ludicrous to question whether Sirhan was the only gunman.

Was there ever a plainer case? Perhaps 90 to 100 persons were jammed in the Ambassador's pantry when Sen. Kennedy was shot. Close friends and associates were in nearly physical contact with him.

Suddenly, Sirhan rushed across the room, screamed an oath, reached past an assistant maitre d' escorting Kennedy and fired at the senator.

Sirhan was captured. His gun was seized and his captors protected him from enraged members of the crowd. Not a single person who was in that crowded pantry now says anything.

A television film runner once said he saw a guard fire a weapon, but he has since backtracked.

At the trial, Sirhan admitted he shot Kennedy, and his attorneys focused attempts to save his life on grounds of diminished mental capacity.

So what—authorities may well ask—now—are media types, conspiracy buffs and publicity seekers talking about? It's simply ridiculous to say anyone but Sirhan was firing in that pantry.

Skeptics say, on the other hand, that it is precisely because everyone was so certain that Sirhan was the lone assassin that the present situation was created.

They say evidence introduced in the trial was not subjected to rigorous cross-examination and eyewitness testimony which appeared to conflict with the prosecution's case was discounted or ignored.

To understand what the doubters are questioning and authorities are answering, it is perhaps best to consider the complicated circumstances in sections.

THE GUNS

Sirhan's gun was an Iver-Johnson 22 caliber 8-shot Cadet Model with a short barrel. Number H53725. Sirhan paid a few dollars for it second hand. The wiry, 5-foot, 3-inch Jordanian refugee fought fiercely to keep it.

To cries of "Get him!" "Get the gun!" some of those near Kennedy grappled with Sirhan. Karl Uecker, a hefty, 190-pound assistant maitre d' wrestled Sirhan to a table top and hit his gun hand against it.

Bill Barry, the senator's bodyguard who had been escorting Kennedy's wife, Ethel, fought through the crowd and twisted the revolver from Sirhan's hand.

Criminalist Wolfer testified about the gun two days later at a grand jury hearing.

His expert testimony was that a bullet removed from the area of Kennedy's sixth cervical vertebra and another taken from William Weisel's abdomen had been fired by the Iver-Johnson revolver.

Four of seven test bullets which Wolfer indicated were fired from Sirhan's gun and reclaimed were introduced as Exhibit 5B.

At Sirhan's trial—months later—Wolfer again said that Sirhan's gun had fired the Kennedy and Weisel evidence bullets. Three test bullets used for comparison were introduced as Exhibit 5B.

The envelope holding the bullets was marked with the gun serial number—H18602. That's correct—H18602, not H53725, the number of Sirhan's gun. The wrong number was not discovered until nearly two years

later. Harper, a sometime critic of Wolfer's work, noted it in November, 1970 while checking physical evidence in the case at the county clerk's office.

Over several months, Harper visited the office more than a dozen times to examine and photograph the evidence bullets. His photographs represent possibly the most serious current challenge to the "lone gunman" theory.

But more about that later.

In an affidavit dated Dec. 28, 1970, Harper, now 72, concluded that two 22-caliber guns were involved in the Kennedy assassination.

He surmised further that the senator was killed by a shot fired from a position other than Sirhan's, and he considered it "extremely unlikely" that Sirhan even shot Kennedy.

Harper's conclusions, and attorney Barbara Warner Blehr's challenge to Wolfer's competence, filed with the City Civil Service Commission in May, 1971, prompted new inquiries by authorities in mid-1971.

Five months later, Busch declared in a press conference that Mrs. Blehr's charges were untrue and supported Wolfer. Next day, the LAPD did the same and Wolfer subsequently became head of the police crime lab.

Both the district attorney's office and a three-member board appointed by Police Chief Ed Davis said investigations of Harper's contentions showed the criminalist was wrong about a second gunman.

Harper had been mistaken, both in assisting, in assuming that Kennedy was facing Sirhan when he was shot and when, in fact, the senator was turned away, shaking hands and with his right side exposed to the gunman.

Both the DA and the LAPD explained the wrong serial number on Exhibit 55 as a "clerical error" made by Wolfer in confusing the number of a second .22 caliber revolver used for other tests.

Because Sirhan's gun had been introduced as evidence at the grand jury on June 7, 1968, authorities said, it was not available for muzzle-distance tests made by Wolfer on June

Therefore, they said, Wolfer checked out another Iver-Johnson Cadet Model .22 revolver—Number H18602—from the LAPD's Property Division on June 10, and used it next day to check the range at which Kennedy had been shot.

When he later made out Exhibit 55 for the trial, Wolfer wrote H18602 on the envelope containing three test bullets instead of the number of Sirhan's gun, officials said.

Neither the DA nor the LAPD ever said publicly exactly how Wolfer made the clerical error. Did he copy it from a report? Did someone give him a wrong number as he once indicated in a deposition? If so, who was it?

To authorities, such questions are academic. Their point is that Wolfer compared the bullets in the case, testified as an expert about the results before a judge, prosecutors and defense attorneys and that his testimony stands, despite the error.

The doubters point out, however, that when Wolfer testified that the bullet from Kennedy's neck and Weisel's abdomen came from Sirhan's gun his opinion was based—as far as trial evidence is concerned—on test bullets bearing the serial number of another weapon (H18602), which the police routinely destroyed in 1969.

To skeptics the wrong number raises the possibility that proper bullet comparisons were never made. They suggest Sirhan's gun may have been so badly damaged in the gunman's capture it could not be used to test-fire bullets for comparison.

The Times obtained a Superior Court order last week to view physical evidence in the case, including Sirhan's revolver. The weapon (H53725) appeared from superficial examination to be operable.

Newsmen representing The Times also found a notation on Exhibit 5B which tends to support the official contention that a clerical error is responsible for the wrong serial number on three test bullets introduced as Exhibit 55 at Sirhan's trial.

The serial number on 5B introduced at the grand jury—four of seven test bullets Wolfer said were fired from Sirhan's revolver—was H53725, the serial number of Sirhan's gun.

THE BULLETS

Sen. Kennedy died in Good Samaritan Hospital at 1:44 a.m. June 6, 1968. Within two hours, County Coroner Thomas T. Noguchi began an autopsy.

Noguchi found that a bullet had entered behind Kennedy's right ear and shattered in the brain. Two others struck in the right armpit. One exited the right chest. The other stopped at the base of the neck. A fourth bullet passed through the shoulder-~~blade~~ area of the coat.

It was the bullet taken from the area of the sixth cervical vertebra that Wolfer identified as coming from Sirhan's gun. It was designated Exhibit 47 at the trial.

Five others in the pantry besides Kennedy were shot. Bullets or fragments were recovered from them all. The bullet in the best condition was removed from William Weisel's abdomen.

At Sirhan's trial, Wolfer also identified the Weisel bullet, designated Exhibit 54, as having been fired from Sirhan's gun.

The LAPD expert said he based his conclusions about Exhibit 47 and 54 on examinations under a comparison microscope of individual identifying marks common to them and test bullets fired from Sirhan's gun.

Wolfer's testimony about the evidence bullets was not challenged then. Sirhan's attorneys stipulated that bullet fragments from Kennedy's brain had come from their client's gun.

It was not until Harper's affidavit on Dec. 28, 1970, that anyone questioned Wolfer's identification.

Harper, a consulting criminalist for 35 years, photographed the Kennedy and Weisel bullets with the assistance of an engineer for a company which developed the Hycon Balliscan Camera.

The camera produces photographs of the entire circumferences of bullets by rotating them in phases in front of a lens. The photos then can be placed side by side for comparison.

In his affidavit, Harper declared that his examination had failed to disclose any individual characteristics establishing that the Kennedy and Weisel bullets had been fired from the same gun.

Furthermore, the criminalist said, his study disclosed that the Kennedy bullet has a rifling angle about 23 min-

Critics' findings on bullets riddled with 'unknown factors,' DA says.

utes or 14% greater than the rifling angle of the Weisel bullet.

Bullets are marked when they are spun by spiral rifling grooves built into a gun's barrel to stabilize a missile in flight. Harper measured these marks.

He went on to conclude, "It is, therefore, my opinion that bullets 47 and 54 could not have been fired from the same gun."

The LAPD's Board of Inquiry appointed to investigate the challenge to Wolfer's competence reported in October, 1971, that—when analyzed—the importance of Harper's 23-minute difference is "questionable."

Pointing out that a circle is divided into 360 degrees and a degree is composed of 60 minutes, the board noted the difference reported by Harper amounts to about one-third of a degree.

"When the difficulty of exactly aligning the two bullets is realized, the minute difference of 23 minutes loses its importance," the board concluded.

"The impossibility of the bullets being fired from the same gun must be established by a more reliable method if Mr. Harper's theory is correct."

At that time, the district attorney's office seemed content with the position that Harper simply could not positively identify bullets through photographs, a job for a comparison microscope.

So much for Harper's startling affidavit. Right?

Wrong! In November, 1973, another criminalist arrived at the same conclusion: that the Kennedy and Weisel bullets were not fired from the same weapon.

Herbert Leon MacDonell, a private expert and director of the Laboratory of Forensic Science in Corning, N.Y., signed an affidavit based on his study of the Harper photographs of the evidence bullets.

Prefacing his conclusions on conditions that the photographs are free of optical distortion and represent what they purport to, MacDonell introduced to the controversy a new element: cannelures.

Cannelures are knurled rings running around a bullet's circumference. They are placed there in the manufacture.

MacDonell noted the Kennedy bullet has one cannelure while the Weisel bullet has two, yet shell casings in Sirhan's gun identified the ammunition as long-rifle, mini-mags made by Omark-C.C.I. of Lewiston, Ida.

MacDonell discovered the importance of that fact in October last year when Omark reported to him that it had never manufactured long-rifle mini-mag ammunition with less than two cannelures.

Also, MacDonell said he had found a difference in rifling angles of "nearly one-half of a degree" between the Kennedy and Weisel bullets and had failed to find matching individual characteristics on the two missiles.

"Overall sharpness of the Kennedy bullet suggests that it was fired from a barrel whose rifling was in far better condition than the one from which the Weisel bullet was fired," he said.

If the Kennedy bullet has a single cannelure then, how did it get that way? Was a cannelure left out in the manufacture? Was one of the two cannelures wiped out in the firing? MacDonell considers both possibilities unlikely.

In response to questions posed by The Times, the district attorney's office last week challenged the findings of both MacDonell and Harper.

Positive identification of bullets as coming from a particular weapon rests upon microscopic study of the evidence by an expert using a microscope, not photographs, the statement said.

Furthermore, the DA maintained, both rifling angles and cannelures are not "significant" in the positive identification of evidence bullets.

"Clearly, the allegations of MacDonell are riddled with unknown factors and potentially unwarranted assumptions," the statement went on. "Thus his allegations do not even constitute a genuine question."

"The mere fact that newspaper and magazine articles characterize his allegations as posing a question does not alter this reality . . .

"The district attorney does not believe that the Sirhan gun should be fired or the bullets microscopically reexamined because the claims or demands of Harper, (Lowell) Bradford (a third criminalist) and MacDonell are totally devoid of substance and evidentiary merit."

Questions about apparent anomalies in the bullet evidence were studied by a special committee of criminologists appointed by Dr. Robert J. Joling, president of the American Academy of Forensic Sciences.

That three-member group was to report possible recommendations this weekend in St. Louis at a meeting of the academy's executive committee.

THE EYEWITNESSES

The experts are certain. Sen. Kennedy was shot from a distance of one to three inches behind the right ear and one to six inches beneath the right arm.

The greater numbers are the outside limits, according to LAPD's Wolfer and Coroner Noguchi. Actually, they estimated the muzzle distances were nearly contact.

Nearly contact. In a room crowded with 90 to 100 potential witnesses, about 30 of them in Kennedy's immediate vicinity. You might imagine those circumstances offer poor material for controversy.

Actually, to those who question the official version, eyewitness accounts of the shooting are cited as persuasive evidence that the full story has never been told.

Some of those near Kennedy have said the muzzle of Sirhan's gun never came close enough to inflict nearly contact wounds.

If they are correct, then who fired the shots that struck Kennedy at point-blank range—as the autopsy shows? A second gunman?

Police Chief Ed Davis recently refused to answer questions about the case on grounds that it had been settled at Sirhan's trial and in subsequent legal actions, including an appeal.

In 1971, however, the LAPD's Board of Inquiry relied on the absence of eyewitnesses to maintain:

"It is unrealistic at this time to theorize that a second gun was fired during the assassination. Many people witnessed this crime, but not one of those persons observed a second gunman firing a weapon."

To the doubters, that police assurance settled nothing. They point to statements by witnesses Frank Burns Jr., Richard Lubic, Karl Uecker and others to make their point.

Burns, a Los Angeles attorney and a friend of the late senator, testified that he was standing off Kennedy's right shoulder in the pantry when he heard the "firecracker" sound of the first shot.

He said Kennedy was facing "almost due north" in the east-to-west pantry shaking hands with hotel employees in white jackets.

Burns told The Times he was facing in the same direction as Kennedy and looking at the senator when the first shot was fired. He stated unequivocally that Sirhan's gun never came within three inches of the senator's head.

Richard Lubic, now an independent television producer living in the Los Angeles area, recalled that Kennedy had stopped ahead of him to shake hands.

"I saw Sirhan just pop up like a jack-in-the-box and yell,

Sirhan ' . . . was stabbing at the senator and pulling the trigger.'

"Kennedy, you son of a bitch," and start firing," Lubic told The Times.

"I dropped down, and the senator fell right next to me. I asked him if he was hurt. He said, 'How is Ebbel?' and he asked me, 'Are you OK?'"

"I know the gun was no closer than four feet, maybe three. After the senator fell, I looked up and saw an Ace security guard with his gun drawn, not pointed at Sirhan but pointing downward."

Karl Uecker was the first to grapple with Sirhan.

The assistant maitre d' had been escorting Kennedy west to east in the pantry toward the Colonial Room when the senator stopped, turned to the north and shook hands near the end of a steam table.

"I felt something moving in between the steam table and my stomach," Uecker testified at Sirhan's trial. "Then, I heard a shot which was something like a firecracker, a second shot and then I turned my head back again and I lost the senator."

"I looked, I saw what happened and was right in front of the man who had a gun in his hand."

Uecker said he grabbed for Sirhan's gun hand, seized the gunman in a headlock and bent him over the steam table while trying to push the weapon away from Kennedy.

In an interview with the district attorney's office July 15, 1971, Uecker recalled that when the shooting started Kennedy was facing him and he had grasped the senator's right hand to lead him from the pantry.

"I was pretty nervous at the trial, but I recollect that I grabbed the gun after the second shot—grabbed the gun and I just pushed it over there and pushed the gun down," Uecker said.

He estimated that the first shot was fired at least a foot and a half from Kennedy and said it might have been two feet away.

After living 15 years in Los Angeles, Uecker returned to his native Germany and now lives in Dusseldorf. Reached there last week by The Times, he still said that Sirhan's gun was "1½ or two feet away" from Kennedy.

Boris Yaro, a photographer for The Times, said he was standing about three feet to the right of Kennedy. He estimated that at the closest point the muzzle of Sirhan's gun was "less than a foot."

Yaro recalls that Sirhan lunged at the senator.

"Boom! Boom! Boom! It was like he was stabbing at Kennedy each time he pulled the trigger," Yaro said. "He was stabbing at the senator and pulling the trigger."

"The senator was backing up. He cringed. He turned. He put his hands over his face. As he backed up, he twisted and he turned, both ways."

"Later on, when you'd hear people say, 'Well, the angle of the bullet was this.' Well, for crying out loud, if anybody had seen how the senator was backing up they'd understand how there could be a bullet in the right side or a bullet in the left side just because of the way in which he turned."

The district attorney's office insisted last week that both physical evidence and eyewitness accounts at Sirhan's trial showed that Sirhan was in a position to shoot Kennedy at "virtually point-blank range."

In fact, the statement said, close scrutiny of Uecker's testimony discloses "the only reasonable interpretation" is that Sirhan must have been virtually at point-blank range when he started firing.

The DA suggested eyewitness accounts do not coincide in every detail because:

Not all witnesses have the same vantage point; no witness is necessarily more or less reliable than another; not all witnesses who testified at trial were asked about muzzle distance; not all witnesses were in a position to observe each and every detail.

"It must be understood that the context in which the investigation and trial were conducted did not emphasize reconciling purported eyewitness accounts as to muzzle distance," the statement said.

"Rather, the forensic opinions of Noguchi and Wolfer were accepted as definitively establishing the conclusion that Sirhan shot Kennedy at point-blank range.

"Questions posed today regarding purported discrepancies between various eyewitnesses assume that those eyewitnesses selected for illustrating the discrepancy are accurate as to every detail, including muzzle distance."

HOW MANY SHOTS?

Five plus four equals nine.

It is just such arithmetic that led critics to question the official version that Sirhan was the lone assassin of Sen. Kennedy.

Sirhan fired eight shots. How is it that bullets were recovered from five victims other than Kennedy and four bullets either wounded the senator or passed through his clothing? That's nine.

The problem was complicated by disclosure that there were three bullet holes in soundproofing ceiling panels hung in the pantry.

Nine plus three equals twelve.

Then, there was that Associated Press photograph taken June 5, 1968. It showed two policemen looking at what the caption said was a bullet found in a door frame at the scene.

Twelve plus one equals 13.

None of the equations or answers greater than eight is correct, according to authorities. What happened was that some bullets made more than one hole, they say.

The LAPD's criminalistics section offered its explanation in a "Trajectory Study," dated July 8, 1968, and later produced a schematic drawing supporting these conclusions:

Bullet No. 1—Entered Kennedy's head behind the right ear and was later recovered from his head.

Bullet No. 2—Passed through the right shoulder pad of RFK's coat, traveled upward and struck Paul Schrade in the forehead.

Bullet No. 3—Entered the senator's right rear shoulder about seven inches from the top of the shoulder and came to rest at the sixth cervical vertebra.

Bullet No. 4—Entered Kennedy's right rear back about one inch to the right of Bullet No. 3. Then, it traveled upward and forward, exited in the right front chest area, pierced a ceiling tile and was "lost somewhere in the ceiling innerspace."

Bullet No. 5—Struck Ira Goldstein in the left rear buttock.

Bullet No. 6—Passed through Goldstein's left pants leg, struck the cement floor and entered Irwin Stroll's leg.

Bullet No. 7—Struck William Weisel in the left abdomen.

Bullet No. 8—Struck the plaster ceiling, ricocheted and hit Elizabeth Evans in the forehead.

As for the AP picture, Wolfer once made a statement in a deposition that a door frame had been booked as evidence and examined but the hole in it was not made by a bullet.

Neither the pantry arithmetic nor Wolfer's explanation have satisfied skeptics, however. They will question how eight bullets could have made "all those holes."

William W. Harper was one of the first to formalize his doubts about the number of bullets fired and the paths they took.

The Pasadena criminalist propounded a theory in an affidavit, dated Dec. 28, 1970, that Kennedy had been fired upon from two positions.

Firing Position A, he said, was located directly in front of the senator—to the east—with Sirhan face-to-face with Kennedy.

"This position is well established by more than a dozen eyewitnesses," Harper said.

Firing Position B, according to his affidavit, was in close proximity to Kennedy, immediately to the senator's right and rear.

Harper concluded that the nature of the three wounds suffered by Kennedy—right to left, back to front and upward—and a fourth shot through the right shoulder-pad area were fired virtually point-blank from Position B.

Since Sirhan could not have been at once in front of Kennedy and also to his right rear it is manifest that two guns were being fired in the pantry, Harper maintained.

If the "two-position" theory was right and Kennedy was face-to-face, Harper pointed out, something was wrong with the LAPD's account of Bullet No. 2—the Schrader-shoulder pad bullet.

Schrader was standing behind Kennedy in the pantry and could not have been struck in the forehead by a bullet traveling from back to front, in the opposite direction, he reasoned.

If then Schrader was not struck by the shoulder-pad bullet, but by another, Harper observed, at least nine shots were fired in the pantry, not eight—barring split bullets.

It followed that since Sirhan fired only eight shots, there must have been another gun.

Both the district attorney's office and the LAPD said in their 1971 investigation that Harper was in error because his theory was based on a false premise.

They quoted eyewitness testimony that when Sirhan started firing rapidly from the east of Kennedy the senator was not face-to-face with him.

Rather, they said, Kennedy had turned 90 degrees away from Sirhan and was shaking hands with hotel employees on the north side of the pantry. Therefore, they said, Sirhan was in a position to inflict the back-to-front wounds suffered by the senator.

Noguchi told The Times recently he thought Kennedy's wounds were consistent with the position in which the senator and Sirhan were placed by authorities, provided the muzzle distance was point-blank.

Critics disagree. They contend Kennedy's wounds could not have been inflicted from Sirhan's position or that a bullet could have passed through the shoulder-pad area and hit Schrader.

Schrade himself says he does not understand how he could have been shot in the way authorities said. Responding to questions last week, the district attorney's office supported the LAPD's version of the path of the shoulder pad or Schrader bullet.

The DA also said prosecutors had relied upon a summary of the bullet paths and a later schematic in prosecuting Sirhan.

"It must be remembered that there never was any indication of any other person firing in the pantry," the statement said.

The left sleeve of Kennedy's coat is missing, and skeptics question that, too. They ask how many bullet holes might be in the sleeve if it were found.

When Wolfer was asked that question once in a deposition, he reasoned that there would be no holes in the sleeve because the bullets would have had to go somewhere in the pantry and none was found.

THE GUARD

Question: You drew your revolver?

Answer: After I get (sic) up off the floor.

Question: Did you fire a shot?

Answer: No.

Thane Eugene Cesar, now 33, gave those answers to the district attorney's office July 14, 1971, in an interview about the Kennedy assassination.

Cesar was a moonlighting guard for Ace Guard Service in Sepulveda the night Kennedy was shot. He had escorted the senator into the Ambassador pantry.

When Kennedy stopped to shake hands near the first steam table, Cesar said he was "maybe two or three feet, maybe a little farther" away, to the senator's right rear.

"I seen the flash," he said. "I didn't see the actual gun. I just seen a red flash. And at the time, in my mind, I feel I seen an arm sticking out between the cameramen . . ."

When the shots were fired, Cesar said, he ducked and was knocked to the floor.

"And when I finally got up to my feet, I pulled my gun and I seen whoever done the shooting. There were a lot of guys on him, had him subdued.

"I put my gun back and went through the swinging doors to get help from some of the guys working there with me. About three of us came back in."

Because of his position in relation to Kennedy, the 5-foot, 11½-inch, 210-pound Cesar was named as a "suspect" in a lawsuit filed on Sirhan's behalf with the Califor-

**Witness 'not 100% sure' he saw
a security guard pull and fire gun.**

nia Supreme Court last Jan. 10 by Beverly Hills attorney Godfrey Isaac.

Isaac's action for a writ of habeas corpus and writ of error coram vobis was rejected without comment by the court last Feb. 13.

The suit charged that authorities had "systematically and deliberately ignored" Cesar as a suspect. It said:

"For reasons known only to the Police Department, Cesar's gun was never examined to determine if it had been fired, nor did the prosecution call Cesar to testify before the grand jury or at the time of trial of Sirhan Bishara Sirhan."

"Furthermore, Cesar had owned a nine-shot, 22-caliber
Cadet revolver, serial number Y13332, which he sold on
Sept. 6, 1968, to Jim Yoder in Arkansas."

Cesar told the district attorney's office in 1971 that on
the night of the assassination he was armed with a .38-
caliber revolver. The LAPD has agreed that was so, but,
so far as is known, police never have said publicly how
that was determined.

Cesar said at one time he owned an H&R nine-shot, 22-
caliber revolver with a two-inch barrel, but that he had
sold it to Jim Yoder of Blue Mountain, Ark., sometime in
February, 1968, he thought.

Q. Did you own that .22 on the night of the Kennedy as-
sassination?

A. No.

Q. And the only gun you were carrying on you that
night was a .38-revolver that you carried on your posses-
sion on moonlight jobs.

A. Yes.

When The Times tried to contact Yoder by telephone in
Arkansas, his wife said the retired Lockheed employe had
suffered a second stroke and said: "Besides, he has been
pestered enough about that gun."

"What else could he tell you anyway? I even took the
receipt down myself to make photostats of it and sent it
out to the police in Los Angeles and that fellow Charach,"
she said.

"The receipt speaks for itself. It has the date and every-
thing right on it."

The date on the receipt received by Charach, producer
of the documentary "The Second Gun," was Sept. 6, 1968,
the same as used by Isaac in the Sirhan suit.

The district attorney's position expressed last week was
that regardless of the date Cesar sold his .22 revolver it
does not detract from the conclusion that Sirhan was the
lone gunman.

"Mere failure to recollect by Cesar on this point does not
translate into a conclusion that he killed Kennedy and de-
liberately lied about the caliber of the gun he had in the
pantry . . ." the DA's statement said.

After the assassination, Donald Schulman said he had
seen a security guard pull a gun and fire in the pantry.
But, when questioned by the district attorney's office on
July 23, 1971, Schulman, a former film runner for KNXT,
said he was "not 100% sure" he saw a guard shooting a
gun that night.

Cesar has not been available to The Times for comment.
Attorney Garland J. Weber, who once represented Cesar,
said his former client had recently moved. He promised to
pass a message to Cesar.

On one occasion, however, Cesar defended himself
against allegations that he was a right-wing radical who
hated the Kennedys.

Cesar told the district attorney's office in 1971 that he
had voted for George C. Wallace, didn't "have a lot of love
for blacks," and would have handled the Watts riot "a lit-
tle different."

in Supreme Court
Cody's Isaac
Lamar's action for a vi-
coram vobis was rejec-
court last Feb. 12
The suit charged that
and deliberately harass
for reasons never car-
nor did the proce-
and jury or a
and

"I've talked to some of the people who were involved in that sad night and I'll be discussing the situation with the district attorney's office to get their views on how some of these questions might be cleared up."

At this time there are no definite plans for legislative hearings, but Lowenstein says:

"This issue just isn't going to go away and I'm confident that it will be taken up in Congress or the state Legislature if the Los Angeles authorities do not reopen the case."

Acting Dist. Atty. John Howard, who was one of the three prosecutors in the Sirhan trial, said his office would oppose any move to make the Sirhan case the subject of legislative hearings.

But Howard did not close the door to pursuing some other avenue that would lead to a resolution of the matter. In a formal policy statement prepared for The Times, he said:

"It always has been the position of the district attorney that if the Sirhan case is to be reviewed it should be done in a court of law.

"We would oppose putting the matter before a legislative body, but we are discussing the feasibility of seeking a judicial forum, where the rules of evidence would strictly apply and where sworn testimony could be taken on the integrity of the exhibits."

Howard is aware that Busch, shortly before his death, had decided to take some steps on his own initiative to put the matter back before a court.

"What we are discussing now are the mechanics of just how to accomplish that, should we decide to make that move," Howard said.

Howard also is aware that the decision may not be his since he is simply acting district attorney and may be replaced within a matter of weeks.

That factor has injected a new aspect of uncertainty because the selection of Busch's successor will undoubtedly have a bearing on future policy where the Sirhan case is concerned.

Virtually everyone involved in the controversy agrees that the most substantial question centers on the Sirhan gun and the bullets. When and if the case is reopened, the refiring of the gun will have top priority.

Why have authorities resisted refiring the weapon? Why not just do it and put an end to all the speculation about the bullet evidence?

The attitude of the district attorney's office and the Police Department and the courts to date is summed up by this statement from acting Dist. Atty. Howard:

"...if you take a step like refiring the gun, you would have to have some doubt that Sirhan is guilty. It has been our feeling that the evidence is so overwhelming that there is no doubt."

The resistance to refiring the weapon is based, at least in part, on the concern that the District Attorney's office has about the "integrity" of the ballistics exhibits.

When the district attorney's staff conducted its 1971 investigation, refiring of the Sirhan pistol was considered.

Dep. Dist. Atty. Dinko Bozanich, who now handles inquiries on the Sirhan case, said that thoughts about firing the gun were "set aside when it was discovered that serious questions surrounded the handling of the Sirhan trial exhibits by the clerk's office."

This position was bolstered by the following finding by the 1971 Los Angeles County Grand Jury:

"Because the exhibits under the custody of the county clerk's officer were handled, examined and photographed by unauthorized persons, and mishandled by county clerk's personnel, there exists a reservation on the part of the grand jury relating to the present integrity of the ballistic exhibits . . ."

Critics of the investigation claim that this is a false issue used by the district attorney's office to divert attention from key questions.

There was no evidence developed during the 1971 grand jury investigation that any tampering with exhibits actually occurred, but investigators remain gravely concerned about it.

"What if someone put a pencil in the barrel of the gun, just for instance?" Howard asks. "That could affect the result of the bullet comparisons."

Howard also worries that the bullets may have "deteriorated" in the seven years interim since the assassination, because of handling and air-oxidation.

But Lowell Bradford, retired director of the Santa Clara County Laboratory of Criminalistics, does not think deterioration is a factor.

He has viewed the Balliscan photos of the bullets taken by Harper five years ago and the coroner's office in conjunction with Supervisor Baxter Ward's hearing on the Sirhan case last year.

Bradford described the bullets as having "beautiful identification marks with no apparent change" between the time the photos were taken in 1970 and 1974.

And so the debate goes on. It seems certain that it will not be settled until the gun is refired and perhaps not even then.

The critics say the refiring will reveal the truth, but Howard isn't so sure, as is obvious from his comment, "God help us if all the bullet comparisons are inconclusive after refiring the gun. Then someone will probably come up with a third gun theory."

Why Not Refire Gun?

Why not refire Sirhan Sirhan's gun to end the speculation about whether the bullet that killed Robert Kennedy came from that weapon?

To many, that seems a simple solution. But the District Attorney's office maintains it really isn't that simple and that it might not provide a solution.

"Besides, if you take a step like refiring the gun, you would have some doubt that Sirhan is guilty. It has been our feeling that the evidence is so overwhelming that there is no doubt," said acting Dist. Atty. John Howard.

Howard concedes that respected criminalists have raised some speculation that the bullet which lodged in Kennedy's neck could not have been fired by the same gun that sent a bullet into the stomach of William Weisel during the shooting spree in the Ambassador Hotel pantry.

"However, their findings are based on photographs and the only accepted method of bullet identification is under a comparison microscope," Howard said. "Their findings are questionable in value and obviously inadmissible in court."

Another major factor in the district attorney's resistance to refiring the weapon is the concern over the integrity of the exhibits. Howard cites the findings of a 1971 Los Angeles County Grand Jury to support this concern:

"Because the exhibits under the custody of the county clerk's office were handled, examined and photographed by unauthorized persons, and mishandled by county clerk's personnel, there exists a reservation on the part of the grand jury relating to the present integrity of the ballistic exhibits . . ."

The district attorney's office stops short of saying that there was any tampering with the bullets or gun, but investigators have grave concern about the possibility it did occur.

In addition to this concern, Howard cites the possibility that over a period of seven years there could be some deterioration of the bullets.

"Twenty-two caliber bullets are always tough anyway and through the handling and air oxidation, identifying characteristics might be altered," Howard said. "So, the bottom line is that refiring the weapon might raise more questions than it answers."

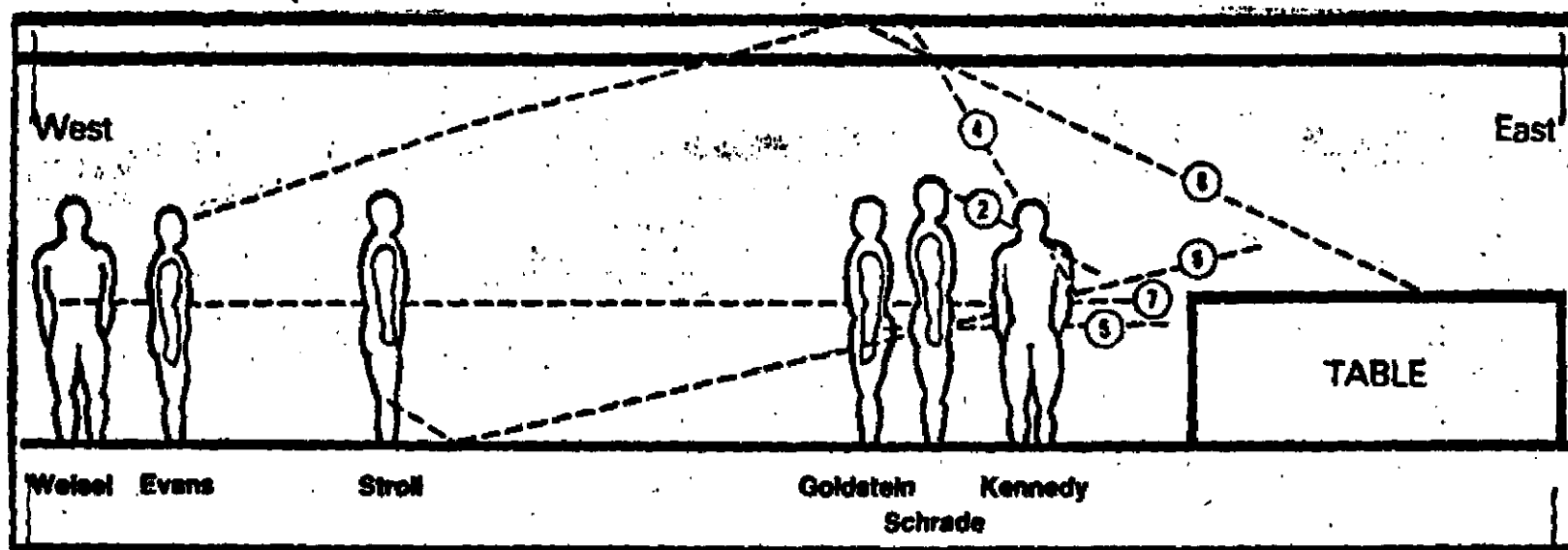
But Howard insists he is keeping an open mind on the matter and says that his staff is discussing the possibility of "getting this thing into some judicial forum where a court might order refiring of the gun."



Sirhan B. Sirhan in 1969



GUNSHOT VICTIM—Paul Schrader, one of several persons hurt in attack on Sen. Robert F. Kennedy, discusses evidence from assassination.

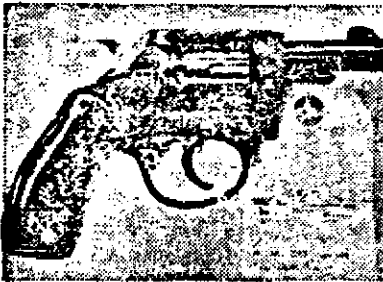


WHERE BULLETS WENT—Drawing shows trajectories of six of eight bullets fired by Sirhan Sirhan from near the steam table.

Omitted from drawing: bullets #1 and #3 (as numbered by LAPD criminalistics section) lodged in Sen. Robert Kennedy's body.



KENNEDY COAT—Skeptics ask what became of the sleeve and wonder how many bullet holes might be in it if it were found.



SIRHAN'S GUN—This is .22-caliber 8-shot revolver fired by Sirhan B. Sirhan at Sen. Robert F. Kennedy. Dispute arose over serial number on the weapon.



DEATH SCENE—Sen. Robert F. Kennedy lies on floor of pantry in Ambassador Hotel after being shot. Busboy attempts to assist.

(Mount Clipping in Space Below)

Unruh Calls Sirhan a Traitor— Let's Find a Way to Keep Him in Jail'

BY JESSE M. UNRUH

I was appalled to read The Times' editorial on the California Adult Authority granting Sirhan Sirhan a parole date of Feb. 23, 1966.

First of all, the will of the legislative branch of government, in the Sirhan case, was frustrated by a court intervention declaring the death penalty unconstitutional. Sirhan, therefore, became the beneficiary and the people the victims of this interbranch struggle of government. The Times seems not to have considered this at all.

Second, if the legislative branch of government must make every distinction for the executive branch of government, then why have nine members of the Adult Authority paid at \$31,000 annually and all their expensive staff? Since we now have abolished the indeterminate sentence, why not have the Legislature dictate the exact terms of every sentence with no exceptions? Clearly, this is not what we should do; but it seems to be what The Times' editorial suggests. Can we not trust the executive and judicial branches to exercise any responsible distinction?

In its editorial, The Times did not state whether it believes that political assassination is a more heinous crime than most other types of murder and should therefore be dealt with more strongly. Does The Times advocate the release of James Earl Ray and Arthur Bremer?

A news account in your paper quoted a parole authority as saying Sirhan "seemed staggered at the long amount of time he has yet to serve"—clearly indicating that a long sentence was, in his mind, a deterrent.

The editorial did not deal at all with the fact that a man whom Gov. Brown has now hired, Alford Lowenstein, asserts the Robert F. Kennedy assassination was a conspiracy involving other people. By hiring Lowenstein, the governor has given the charge a credibility it did not formerly have.

Let us assume Lowenstein's assertion may have some validity (something I do not believe, incidentally). Let us assume Sirhan was to be paid \$3 million for his actions after release from prison. That works out to about \$160,000 a year based on his sentence as now established by the Adult Authority. Not a bad salary for someone who will be in his mid-40s. When we release him on a defenseless society.

When the Adult Authority announced a firm release date for Sirhan, I suppose I was less disturbed by the action than by the insensitive, callous and near-criminal way in which it was done, timed and explained.

(Indicate page, name of newspaper, city and state.)

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ORIGINAL TO THE BUREAU

The three-member panel said its action stemmed from the need "to treat him (Sirhan) just like anyone else."

Government officials who have the kind of power as that exerted by the Adult Authority and who show such insensitive ignorance of our system of government should be disqualified from holding sensitive offices.

Sirhan did not commit "just another murder." The record clearly indicates he planned and carried out a political assassination. The .22-caliber bullets which he fired into Robert F. Kennedy did far more than kill Rose Kennedy's third son; they wiped out the votes of

Jesse M. Unruh is the state treasurer.

1.4 million Californians cast just hours before. Those shots also destroyed the hopes of millions of other Americans, let alone of other peoples around the world.

The act was treason—and its perpetrator should be treated as a traitor as well as a murderer.

My outrage was hardly assuaged by a remark by Raymond K. Proctor, the governor's nominee for chairman of the Adult Authority. He was quoted as saying that the authority's action was "guilty." Why not then congratulate Sirhan himself on being "guilty" for having fired 10 shots into a defenseless crowd?

If Proctor was quoted accurately, I will ask Gov. Brown to withdraw his nomination to be permanent chief of the Adult Authority. Failing that, I will personally ask every member of the California Senate to vote against his confirmation.

It is still not too late for the Adult Authority to set another date for Sirhan's release—2050, for instance—to make sure he never again walks our streets or stalks our leaders. The authority would have to hold hearings and present appropriate reasons for its change of date, but I believe that could be done. Certainly, it should be tried.

America is on the eve of another presidential election, and the only remaining Kennedy brother will be on the ballot, at the very least as a candidate for reelection to the U.S. Senate from Massachusetts.

Ask yourself what kind of a deterrent a 15-year prison sentence for political assassination will be during the next 18 months?

The American political system is a fragile, beautiful thing. Out of the ugliness of Watergate came the beauty of knowing that the highest are not above the law—even the mightiest can fail.

Watergate proved Americans need not return to the bloody anarchism of early 20th-century Europe where exploited workers could only topple their leaders by assassination. Should we not take extra measures to protect this precious system—to do our best not to encourage another Lee Harvey Oswald, Arthur Bremer, James Earl Ray or Sirhan Sirhan to disrupt the 1976 electoral process with a gun?

I believe we should. We should change this light sentence, which will discharge a political assassin after a shorter term than many persons have served for much lesser crimes. Failing that, we should purge from government and responsibility those persons who made this incredible blunder and change our laws so that it cannot happen again.

I have purposely avoided the question of the death penalty. Personally, I have long believed that loss of liberty is far more punishment than loss of life. During that terrible night in June, 1968, I believed passionately in keeping Sirhan alive. It was literally necessary to pull off the enraged crowd which had captured him and wanted to tear him limb from limb. After helping rescue Sirhan from the first crowd, I escorted him safely out through another threatening crowd so that our system of justice could have a chance to work.

And work it did. Sirhan was tried and sentenced to death. Even then, I urged that he not be executed—not because of any strong feelings against the death penalty, but because I felt his death could be a sad last note to Bob Kennedy's life of dedication to ending violence.

But never in God's world did I think Sirhan would walk a free man again—and I hope he will not. Surely the jury and judge who convicted him, had they been able to see that the death penalty would be declared unconstitutional, would agree with me.

Now, if we cannot imprison for life those who assassinate our leaders and destroy our democracy, then the death penalty for this crime must again be considered. I hope we can find another way. I believe we can. But find it we must.

Our American system works. Politicians can be brought down by a thousand different legal and nonviolent ways. We cannot allow them to be brought down by a gun in the hand of a cold-blooded assassin or demented thrill-seeker. Have we learned nothing from the deaths of John and Robert Kennedy, Martin Luther King, and the near-fatal attack on George Wallace?

Who will be the victim in 1976?

(Mount Clipping in Space Below)

Sirhan and the Law

Because Robert F. Kennedy was an extraordinary man, the demand is heard that his killer must suffer extraordinary punishment.

Sirhan Sirhan will, but not to a degree that will satisfy those who are excoriating the California Adult Authority for granting him a parole date of Feb. 5, 1966. If he is freed then, Sirhan will have spent 16 years and 9 months behind bars, which is longer than the average sentence for his offenses.

But critics of the decision to release him in 11 more years demand still more. They contend that nothing short of life imprisonment, without possibility of parole, is the appropriate punishment now that it is legally impossible to execute Sirhan.

The effect of a 1972 decision by the California Supreme Court, declaring capital punishment to be unconstitutional, and another that same year by the U.S. Supreme Court, limiting its application, was to grant permanent commutation of their death penalties to Sirhan and to all other occupants of San Quentin's Death Row.

An initiative later that year restoring the death penalty in California did not apply retroactively to those already under sentence of death.

The Adult Authority is under attack on two grounds:

—That to parole Sirhan would be an incitement to further assassinations.

—That if it was the intent of the original trial court that Sirhan should go to the gas chamber, it is binding on the Adult Authority to impose the next-harshes sentence within its powers and keep him behind bars the rest of his life.

We do not agree with either point.

There is no evidence whatever that the severity of punishment would deter an assassin who kills for political motives. Most of them, and certainly those who kill at close quarters, expect to die for their crimes. But even those whose guns are for hire would find Sirhan's 16 years and 9 months more than sufficient deterrence.

Nor do we agree that the Adult Authority should apply a separate standard of judgment to Sirhan. The court decisions put him in the same category with all others on Death Row, and the parole authority had no choice but to accept his status.

Those who are attacking the Adult Authority—and even demanding that Gov. Brown fire the two members responsible for the decision—are raging against the wrong arm of government.

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II-4 LOS ANGELES TIMES
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ORIGINAL TO THE BUREAU

In the absence of a statute fixing a definite and harsher sentence for political assassination, the Adult Authority was bound, in light of Sirhan's exemplary prison record and his positive response to a series of psychiatric evaluations, to treat him as it would all other murderers who become eligible for parole. To demand otherwise is to expect the parole board to fill a statutory vacuum by exercising a legislative power that it does not, and should not, have.

It is not the parole board's responsibility to establish in law, by case precedent, a code in which one first-degree murder is a more heinous crime than another—and that the murder of a political leader is the most heinous of all. That responsibility rests with the Legislature.

The state routinely paroles anonymous killers of anonymous victims, and there is no public outcry. But many now contend that Sirhan has no right to equal treatment under the law. They insist that his bullets struck down more than a man—that they also struck down the good he might have done had he won the Presidency in 1968 or later.

That contention leads to an impenetrable maze of judgments that would require not only omniscience but also prescience. To accept it, one must also accept that one life has more importance than another, and that the punishment for taking life must reflect its impact on society.

Thus, it becomes a more serious crime to kill a father of five than a father of one. The murder of a scientist researching a cure for cancer would command a severer penalty than the murder of another whose field is the mores of an ancient society.

But even if one were to accept the proposition that the assassination of a candidate for President is an unforgivable offense, striking at the very right of a nation to select its leaders, it must follow that the murder of a candidate for a city council or a school board has no comparable impact on society and thus should not deserve so grave a punishment.

Much of present law does distinguish between the seriousness of crimes in the same category. The punishment is greater for stealing \$5,000 than for stealing \$5. The driver who exceeds the speed limit by 50 m.p.h. pays a heavier fine or serves more days in jail than another who exceeds it by only 5 m.p.h.

But neither California nor federal law draws such distinctions in the case of Sirhan's crimes. To expect the Adult Authority to suspend its own criteria and precedents in considering Sirhan's application for parole is to ask it to suspend the principle of equality before the law.

Until the Legislature or Congress is willing to define by statute the penalty for political assassination, it is unreasonable to ask a parole board to do it for them through the exercise of its discretion.

To assert that is not to minimize the insane horror of what Sirhan did. But not to assert it is to accept a diminution of the constitutional guarantee of equal justice that would, in time, inflict greater agony and stress on society than the murder of one man, whatever his qualities or station.

(Mount Clipping in Space Below)

Deports Of Sirhan Said Being Planned

GULFPORT, Miss. (UPI) — A Mississippi Gulf Coast newspaper reports that the Immigration and Naturalization Service will move to deport Sirhan Sirhan when the convicted assassin of Sen. Robert Kennedy is freed on parole more than a decade from now.

The South Mississippi Sun, in an article by reporter Bill Henson today, quoted officials of the INS in New Orleans as saying deportation proceedings are automatic in cases involving resident aliens convicted of crimes of moral turpitude.

Sirhan, however, who will be eligible for parole Feb. 23, 1986, plans to fight deportation, according to the newspaper report.

Sirhan's attorney, Godfrey Isaac, told the newspaper in a telephone interview from California that Sirhan wants to remain in the United States and there is no question he will fight the proceedings. He said an alien may appeal to the INS for a new trial if he does not agree to leave the country.

Sirhan, a native of what is now Jordan, originally was sentenced to die in the gas chamber for the murder of Kennedy in a Los Angeles hotel in 1963. The death sentence was commuted after the California Supreme Court struck down the state's capital punishment statute.

(Indicate page, name of newspaper, city and state.)

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ORIGINAL TO THE BUREAU

(Mount Clipping in Space Below)

-Pa. Went by Book on Sirhan Parole

BY WILLIAM ENDICOTT
Times Staff Writer

SACRAMENTO James H. Hoover, a six-year member of the California Adult Authority, arrived at San Quentin this week oblivious to the fact that the first prisoner he would see for a parole hearing would be Sirhan Sirhan.

"I didn't know until I sat down and looked at the calendar," he told The Times. "I was really surprised. I had forgotten all about the case."

The first thing he did was call Raymond C. Brown, vice chairman of the Adult Authority.

"He notified me because he knew his would be a hot one, that it would be controversial," Brown said. "He told me, 'We're going to set a date on this.'"

Brown, in turn, called Chairman Raymond K. Procunier, who was in San Jose, Calif.

"He just winked," Brown said.

Hoover and an Adult Authority staff representative, Gene Luttrell, spent two hours with Sirhan on Monday, then called him back for an hour Tuesday when a second board member, Manuel Quevedo Jr., also sat in.

Satisfied there was no reason to deny him a parole date, Hoover and Quevedo then signed the document legally setting his release for Feb. 23, 1966.

"If we deny any case, we've got to have reasons for the denial," Hoover said. "Whether it's Sirhan or anybody else."

He would not comment on details of the hearing but said "there was not a dang thing to do" but give him a date. "I can't think of any guy in the system, unless he's crazy, you couldn't do this for."

Sirhan sources described Sirhan as a lot of shocked—overwhelmed by the amount of time he still has to serve in prison.

He was escorted from the parole hearing, which was held in the prison's maximum security block where he had been housed for nearly six years, to the prison's main block, who was escorted to the prison's main block.

He was escorted to the prison's main block of San Jose A. P. Kennedy, the prison's main block.

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ORIGINAL TO THE BUREAU

was sentenced to die in the San Quentin gas chamber. But he was spared when the state Supreme Court **STRUCK** down the death penalty in 1972 as unconstitutional.

Capital punishment subsequently was restored as a result of an initiative approved by voters, but it was not retroactive for those affected by the court decision.

The parole date for Sirhan, said Philip D. Guthrie of the state Department of Corrections, is firm "in the absence of any serious behavior problems . . . He'll be reviewed every two years, but that's just a progress review, not designed to fiddle with the date."

If he is set free on schedule, he will have spent 16 years and nine months behind bars for the first-degree murder of Kennedy and five counts of assault with a deadly weapon.

Ostensibly, the Adult Authority could have kept Sirhan in a cell indeterminately—for life—but a new Brown Administration policy is to set specific parole dates for as many state prison inmates as possible.

His term was taken from a "suggested median range" for his offense.

"He's at the top of the range for most inmates," said Guthrie. "The Adult Authority didn't choose to deny him or go beyond the range because they figured the guy had been well-behaved and it would be difficult to say that because of who he killed he was going to do more time."

Guthrie said inmates convicted of first-degree murder "have been going out, on the average, in about 11 years."

Legally, they could be paroled after serving as little as seven years.

Procurator, in a telephone interview with The Times, said he called Hoover Wednesday morning "to congratulate him for being gutsy . . ."

"I'm proud as hell that he didn't search for some bogus reason to deny him (Sirhan) or refer it to someone else. It would have been simple to rationalize, to do the popular thing and avoid the issue."

The Adult Authority chairman also said, "People have been saying we have political prisoners. This should prove we don't have any political prisoners."

Nevertheless, it is probable that the action on the 31-year-old Sirhan will put a severe strain on the new sentencing guidelines, which were developed by Procurator and approved by Gov. Brown.

From those close to the Sirhan case, reaction was swift and vehement.

State Treasurer Jesse Unruh, who was with Kennedy in the Ambassador in Los Angeles when the senator was shot, described the parole decision as "the height of assninity" and called on Brown to fire Hoover, Quevedo and Luttrell.

"When we allow madmen to take the lives of our top elected and private officials . . . and then say there is no difference, then there is something wrong," Unruh said.

Ironically, it was Unruh who protected Sirhan from an angry crowd after the shooting and rode in the car with him when he was taken away by police. The date was June 6, 1968. Unruh had just elected victory in California's Democratic presidential primary.

Unruh said at that time he wanted to stave off a report of the "back-bully manner" in which Lee Harvey Oswald was killed after the assassination of President John F. Kennedy, the senator's brother.

Urruh said Wednesday the Adult Authority decision was "an open invitation" to an assassination attempt on the third Kennedy brother, Sen. Edward M. Kennedy.

George Stizel of Los Angeles, one of the jurors at Sirhan's trial, warned that "if he gets out, he could do it again."

Los Angeles County Dist. Atty. Joseph P. Busch said he had no quarrel with the new Adult Authority parole policy, per se, but he added:

"I think the assassination of a political figure should be an absolute consideration in giving more punishment to the individual, and I don't think he should ever be paroled."

"We have to remember that but for the change in the law regarding the death penalty, this man would have been executed . . . I can't believe they can tell us that assassination is only worth 16 years in prison."

Under the hard-line policy of the Reagan administration, sources said, it is unlikely that Sirhan ever would have gotten a parole date. "He would not have been told how long he was going to do," said Guthrie, an assistant director of the Department of Corrections.

Brown refused comment on the decision. "I don't think it is proper for me to comment on activities of the Adult Authority," he said. "They have to exercise their judgment. He came up and they gave him that sentence. It's not right for the governor to second-guess the sentence."

Interestingly, both Hoover, 46, and Quevedo, 51, were appointed to the Adult Authority by former Gov. Ronald Reagan after long law-enforcement careers. Hoover as a prison correctional officer and Quevedo as a San Bernardino policeman. Both men are Republicans. Hoover was appointed in 1969, Quevedo in 1973.

Their parole announcement followed by five months the filing of a petition with the state Supreme Court by Sirhan's attorney, Godfrey Isaac of Beverly Hills, to reopen the assassination investigation because of a "second gun" theory.

Isaac contended that a second gun was fired by a hotel security guard and one of the bullets from it may have been the fatal one that struck Kennedy. But the court turned down the petition.

The shooting of Kennedy, recorded on television film and by still cameras, occurred in a pantry just off the Ambassador's main ballroom floor where moments earlier he had thanked the crowd for the California nomination.

Kennedy, surrounded by aides and well-wishers, walked through a set of swinging doors into the pantry filled with hotel workers and was standing next to a dishwasher when a reported eight shots were fired. He died in a hospital 25 hours later.

Isaac told United Press International Wednesday he talked with Sirhan after the Adult Authority hearing and Sirhan indicated he would fear for his life if he is freed.

Sirhan was moved to our early Wednesday morning from San Quentin to Solano County Prison in Monterey County, where he will be housed in a "protective custody" unit.

"He's been held for six years in about the tightest security we've got," Guthrie said. "first on Death Row in a special caged-off area and then the adjustment center (maximum security bloc).

"It was difficult, if not impossible, for him to establish any relationship with other inmates, and it was having some deteriorating effect on him."

At Soledad, he will be in a self-contained unit with about 120 other inmates.

"These are guys who in themselves are not behavior problems but require some kind of protection from other prisoners," said Guthrie. "Within that unit, he will have a little more chance to mingle with other inmates, a little more chance for exercise, a little more freedom."

(Mount Clipping in Space Below)

Unruh Calls Sirhan Parole Ruling Asinine

SACRAMENTO (AP). — State Treasurer Jesse Unruh, who stood near U.S. Sen. Robert Kennedy when he was shot to death, denounced the state Wednesday for giving Kennedy's convicted assassin a parole date.

Unruh was the California Legislature's powerful Assembly speaker when Kennedy was assassinated as he celebrated his victory in the 1968 California presidential primary June 5, 1968.

Sirhan Sirhan, the 31-year-old man convicted of shooting Kennedy, was nearly torn apart that night by the crowd at the Ambassador Hotel in Los Angeles, Unruh said.

The California Adult Authority Tuesday gave Sirhan a parole date of Feb. 23, 1969, and Unruh, who headed Kennedy's 1968 California presidential campaign, said:

"What I have to consider one of the most asinine explanations I have ever seen for any government explanation is that Sirhan had to be treated no differently than anyone else."

Unruh, who did not actually see the shooting, said he had talked to Gov. Edmund Brown Jr. to let him know how upset he was by the parole board's action.

In an interview with reporters on the parole board action, Brown said he did not want to intrude on "what is basically a quasi-judicial decision."

In another development, Sirhan was moved from San Quentin to Folsom Prison Wednesday. Philip G. Smith, a press spokesman for the prison, said the move was made because of "a known danger to

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MAY 22 1975	
FBI - LOS ANGELES	

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Sirhan will be placed in a self-contained unit along with inmates who fear for their safety, Guthrie said.

Meanwhile, in Pasadena, Sirhan's mother says her son won't be harmed if he is paroled because "when they find out my son's shot did not kill the senator, there'll be nothing to be mad about."

Mary Sirhan's comments referred to a statement by her son's lawyer that if Sirhan is released, "law and order thinkers" may try to kill him.

Sirhan's attorney Godfrey Isaac of Beverly Hills, said Tuesday that he was "concerned with his (Sirhan's) life. I talked with Sirhan and he is also concerned with his life, where he had previously not been."

Dist. Atty. Joseph P. Busch said Tuesday he planned to seek a meeting with Gov. Brown to discuss the administration's parole policy under which Sirhan will be released.

"I doubt that Gov. Brown meant to establish a policy which would parole Sirhan Sirhan in 1966," Busch said. "Such a policy could also affect Charles Manson and other prisoners who were meant by policy to be imprisoned for life."

(Mount Clipping in Space Below)

Sirhan Assigned Date For Parole

SAN QUENTIN Calif. (UPI) — Sirhan Sirhan, once condemned for the assassination of Sen. Robert F. Kennedy, has been a "model prisoner" and if he keeps it up he will be released in 1966 under a new California parole policy.

The state Adult Authority determined Tuesday that Sirhan should be released after serving a total of 16 years and nine months for the first-degree murder of Kennedy, the 1968 California Democratic nominee for president.

The parole board acted under a new policy of the administration of Democratic Gov. Edmund G. Brown Jr. to establish specific release dates for all California inmates who now serve "indeterminate" sentences.

Sirhan, 31, attended the parole board hearing at San Quentin Prison, where he is held in a cell in the facility's maximum security block.

A prison spokesman described the wispy Palestinian Arab as a model prisoner who will be paroled on Feb. 22, 1966, provided he obeys behavior rules and commits no "serious offenses."

Sirhan's attorney, Godfrey Isaac of Beverly Hills, said he talked with Sirhan after the board hearing and Sirhan indicated he would fear for his life after he is freed.

"I'm concerned for his life," Isaac said. "I have talked with Sirhan and he was also concerned for his life when he previously had not been."

George Stutzel of Los Angeles, one of the jurors at Sirhan's murder trial, voiced amazement at the board's action, declaring, "If he gets out, he could go it again."

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FBI - LOS ANGELES	

67C

But Philip D. Guthrie, assistant director of the Department of Corrections, termed Sirhan "extremely well behaved all the time he has been in prison — absolutely no problem."

Guthrie said the parole board "considered that while he killed a very well known figure, they had to treat him as if he killed an ordinary person."

Sirhan was sent to prison nearly six years ago for the June 5, 1968, slaying of Kennedy moments after the New York Democrat claimed victory in the California primary election over Sen. Eugene McCarthy of Minnesota.

Sirhan was sentenced to die in the gas chamber, but the state Supreme Court struck down the death penalty in 1972 as unconstitutional. Sirhan and 106 other death row convicts were spared, although capital punishment was later ordered restored by the voters.

The parole announcement followed by five months the filing of a petition with the California Supreme Court by Isaac to reopen the assassination investigation on the grounds of a "second gun" theory.

Isaac, currently Sirhan's lawyer, contended that a second gun was fired by a hotel security guard and one of the bullets may have struck Kennedy.

(Mount Clipping in Space Below)

SIRHAN'S PAROLE SET

To Go Free in 7 1/2 Years, Board Says

Kennedy's Death Nets 16 Years

SAN QUENTIN (AP)—Sirhan B. Sirhan, the convicted assassin of U.S. Sen. Robert F. Kennedy, is scheduled for parole on Feb. 23, 1969, the California Adult Authority said Tuesday.

(Indicate page, name of newspaper, city and state.)

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FBI - LOS ANGELES	

ORIGINAL TO THE BUREAU

b7c

Philip Guthrie, a deputy director of the State Department of Corrections, said releasing Sirhan on that date would give him a prison sentence of 16 years, nine months.

He said the actual length of Sirhan's life term was "at the top range for first-degree murders."

"The board is acting in a way that is consistent with standards they have established for various crimes," Guthrie said of the board's action Tuesday in a meeting at San Quentin Prison.

"While he killed a very well-known man, they have to regard that in the same way they would a less well-known figure."

The announcement came nearly six years after Sirhan entered the California prison system. He is currently being held at San Quentin, in Marin County north of San Francisco.

He was convicted of gunning Kennedy down in the kitchen of the Ambassador Hotel in Los Angeles on June 5, 1964, following the senator's victory in California's Democratic presidential primary.

Sirhan, 31, was originally sentenced to die for the crime, but that sentence was thrown out by a State Supreme Court decision outlawing capital punishment.

His sentence was changed to life imprisonment, which allows for parole after at least seven years.

Guthrie said the parole date would stand unless Sirhan had some "extreme behavior problem" before then.

Sirhan's mother, Mary, was unavailable for comment.



SIRHAN SIRHAN

(Mount Clipping in Space Below)

Sirhan receives 1986 Parole Date From State Board

SAN QUENTIN (UPI)—Sirhan Sirhan, convicted of assassinating Sen. Robert F. Kennedy, was granted a parole date of Feb. 23, 1986, by the California Adult Authority Tuesday.

Sirhan, who originally was sentenced to death, would end up serving a total of 16 years, 6 months under the parole date.

"He was extremely well behaved all the time he has been in prison — absolutely no problem," said Philip D. Guthrie, assistant director of the state Department of Corrections.

"The Adult Authority considered that while he killed a very well known figure they had to treat him as if he killed an ordinary person," Guthrie added.

Sirhan was sent to San Quentin Prison five years ago Friday for slaying Kennedy June 5, 1968, in the pantry of the Ambassador Hotel in Los Angeles shortly after Kennedy claimed victory in the California Democratic presidential primary election.

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ORIGINAL TO THE BUREAU

b7c

Sirhan was convicted of first-degree murder and five counts of assault with a deadly weapon in a shooting that also wounded a Los Angeles labor official, Paul Schrade.

The 1986 parole means Sirhan will be released from prison at that time unless he commits a "serious" breach of prison rules or is involved in a prison crime, Guthrie said.

Granting of a parole date is part of a new policy of Gov. Brown's Administration to set "determinate" sentence dates for California convicts.

Sirhan, 31, was among the 107 persons on Death Row spared as the result of a 1972 state Supreme Court decision that held capital punishment unconstitutional.

Voters later provided for the restoration of the death penalty, but it was not retroactive to those spared.

The parole announcement followed by five months the filing of a petition with the California Supreme Court by attorney Godfrey Isaac of Los Angeles to reopen the assassination investigation on the grounds of a "second gun" theory.

Isaac, currently Sirhan's lawyer, contended that a second gun was fired by a hotel security guard and one of the bullets may have struck Kennedy.

Kennedy, surrounded by aids and well-wishers, had walked through a set of swinging doors into the pantry filled with hotel workers and was standing next to a dishwasher when a reported eight shots fired. He died 25 hours later at a hospital.

(Mount Clipping in Space Below)

Sacramento Action On Slaying Sought

From Evening Outlook News Service

Former New York Congressman Allard K. Lowenstein says he's looking toward Sacramento for reopening of the Robert Kennedy assassination investigation and accused local officials of "stonewalling" on providing requested information about the case.

Lowenstein, who spoke to an estimated 300 people at UCLA law school Friday night, has been pushing for reopening of the investigation since last year. Appearing with him Friday was a new ally in the drive, Dr. Robert J. Joling, president of the American Academy of Forensic Sciences.

The two men were joined at an earlier Los Angeles press club news conference by Chuck Warren, an aide to Democratic National Committeeman Fred Firth, who said he is on loan to Lowenstein to coordinate a California effort to reopen the Robert Kennedy probe.

Warren said "several assemblymen" are interested in their efforts and indicated they might urge Los Angeles County Dist. Atty. Joseph Busch to reopen the probe.

If that fails, he said, there is a drive afoot to get the state Assembly's Criminal Justice Committee headed by Alan Sieroty, D-Santa Monica, West Los Angeles, to set up a subcommittee with full subpoena power to reopen the case.

Busch was not immediately available for comment, but a spokesman noted that the district attorney's feeling has been that if a court orders reopening of a probe, he will be forced to comply.

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MAY 12 1975	
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ORIGINAL TO THE BUREAU

Attorney Godfrey Isaac, who represents convicted assassin Sirhan Sirhan, recently made such an appeal to the state Supreme Court, but was turned down.

Isaac had basically the same information as Lowenstein and others who have advocated reopening the case — that ballistic testimony at Sirhan's trial in 1969 was in conflict with more recent scrutiny of trial exhibits by an outside criminalist. The evidence indicates a second gun may have been involved in the assassination Lowenstein said.

Joling, associate professor of medical jurisprudence at the University of Arizona College of Medicine in Tucson and a former practicing attorney, said the state Supreme Court refusal was based on legal grounds that the information offered by Isaac was not "new evidence."

The information was available at Sirhan's trial, he said.

Although Lowenstein advocates a re-firing of Sirhan's gun as part of the reopening of the case, Joling said not even that is necessary.

The disputed evidence has to do with microscopic photographs of three slugs introduced into evidence at the trial.

Joling said a simple examination of the trial exhibits — the slugs — by an independent group of two or three criminalists would be conclusive in determining the question of the markings.

Lowenstein has recently been speaking at college campuses throughout California pushing his effort to reopening the investigation.

Lowenstein spent Thursday at UC Berkeley and Stanford University.

(Mount Clipping in Space Below)

New Role in Slaying of Sen. Kennedy Demanded

Drive by Ex-Congressman Lowenstein Backed by Criminalist Who Says Bullets May Differ

BY JOHN KENDALL
Times Staff Writer

Nearly seven years after Sen. Robert F. Kennedy was killed, former New York Congressman Allard Lowenstein returned to Los Angeles Friday to again demand that the assassination case be reopened.

"We're going to get these things done at some point," he said. "The American people are not going to tolerate stonewalling on the issue of who murdered one of the most significant people in our history."

Lowenstein's campaign to reinvestigate aspects of the senator's death took him to Harvard, Stanford and Berkeley in three days and he was to appear at UCLA Friday night.

"It's beginning to sound like a broken record," commented Los Angeles County Dist. Atty. Joseph P. Basch. "All I can say is, 'Play it again, Allard'."

Basch has repeatedly denied that there is evidence to justify reopening the case.

Before appearing at a press conference at the Greater Los Angeles Press Club Friday, Lowenstein had been in Sacramento, talking to legislators about the case.

He was supported in his appearance in Los Angeles by Dr. Robert J. Joling, president of the American Academy of Forensic Science and associate professor of medical jurisprudence at the University of Arizona. Joling said he was acting as an individual, not an academy president.

With the aid of a slide exhibit, Joling talked about evidence in the trial of convicted assassin Sirhan B. Sirhan and said there is sufficient difference of opinion to warrant further investigation of the case.

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ORIGINAL TO THE BUREAU

In sum, Joling said a photograph of a bullet found in Kennedy's neck and a slug removed from another victim wounded in the pantry of the Ambassador shortly after midnight on June 6, 1968, indicates the bullets may not match. The criminalist said the bullet taken from the senator's body appeared to have one ring, called a cannellure, around it, while the other bullet and a test bullet appeared to have two cannellures.

Yet, Joling went on, all the shells taken from Sirhan's .22-caliber gun were made by Cascade Corp. of Lewiston, Ida., and Cascade only makes long rifle minimag ammunition with two cannellures.

Joling admitted that the photograph, taken by Pasadena ballistics expert William W. Harper, was not conclusive proof of a difference in the bullets but he suggested it was enough to warrant examination of the evidence again.

He favored the appointment of a panel of outside experts to settle questions raised about the bullets.

"It doesn't take any time or any money to do the things we ask," Lowenstein said.

He specified those steps as the firing of Sirhan's gun, analysis of the bullets' chemical composition, examination of ceiling panels in the hotel pantry and investigation of Kennedy's shoulder pad to determine the path of a bullet which pierced it.

"If all three holes in those ceiling panels are entry holes," Lowenstein said, "that's the ball game. That's three bullets that went up into the ceiling and seven were recovered from the victim so that's 10 bullets."

Sirhan's gun held eight bullets.

Lowenstein insisted that he and Joling and those who support reopening the case have not reached any preconcussions but only want to settle once and for all the rumors that there was more than a single assassin.

He said he had not always pressed so vigorously for reopening of the case and, in fact, had resisted questions raised while he was a congressman.

His renewed interest began, Lowenstein said, when he discovered that "many of us had thought that we had been naive about the kinds of things that had gone on in the United States."

He said he began looking into the case with the expectation that he would find nothing but that when he found difficulties, authorities had no answers.

"I said, 'How could we have eight bullets do all this when seven were recovered and here were three holes in the ceiling panels and one in his coat and one in his chest?'"

"How could these bullets inflict all those holes?"

"And then when I discovered that the answers I was getting were not

accurate answers and there was an effort to stonewall, that whetted my feeling that we have to pursue the

question to find out what in fact occurred."

(Mount Clipping in Space Below)

Conspiracy Market

"Who Killed Bobby Kennedy? You Decide . . . Is the Sirhan Conviction Another Watergate Cover-Up?" Promo for "The Second Gun."

Allard Lowenstein, pounding the TV gumbeat circuit since last December in a campaign to re-open the Robert Kennedy assassination case, has a new exhibit to help his cause along: a fastback motion-picture "documentary," put together quick as you can say "Watergate plot," and now showing at your neighborhood theater (PG).

Lowenstein being a true believer, we can infer that were he huckstering "The Second Gun," all proceeds therefrom would go into a Sirhan Sirhan defense fund. But, to my knowledge, Lowenstein has no financial interest in the film and the producers haven't indicated they have any intention of aiding the cause other than by reaching into the hearts, minds and pocketbooks of mass audiences satiated with porno flicks.

No doubt Lowenstein will find that observation an unwarranted aspersion on his theory, along the lines of prior criticism of the cause made in this space. Why, he asked Bill Buckley on a recent "Firing Line" show, can't we discuss the evidence in the Robert Kennedy assassination case without "enthesis"? (I had charged him with having out Maileted Norman Mailer in kooky conspiracy stories.)

For his part, host Buckley, in a column written after the show, expressed hope that Lowenstein's cause be taken seriously enough that the Sirhan weapon be refired by Los Angeles police. This, says Lowenstein, would erase any doubts expressed about the Sirhan conviction.

(Indicate page, name of newspaper, city and state.)

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ORIGINAL TO THE BUREAU

There is a bootstrap logic to Lowenstein, as Buckley that argument, since — until says, may indeed be a man of Lowenstein and his moving-pure motive. But pure motive, making colleagues began pro-alas, is a rare commodity noting their conspiracy con-these days, even on the furations — there had really Watergate-plot market. Thus; never been any "doubts" ex-Bobby Kennedy's assassina-pressed about the Sirhan case. tion is about to make some quick-film hustler a bundle; a development certain to inspire

Indeed, even Sirhan's at other socially-conscious inde-torney, Emile Zola Berman, pendent producers to explore told the trial court — as quoted he possibilities of a by Buckley in a 1969 column — "documentary" based on the "There is no doubt . . . that theory that Jack Ruby did not (Sirhan) did, in fact, fire thereally kill Lee Oswald, there shot that killed Sen. Ken, having been a "second gun" at nedy." that scene also.

The Sirhan trial was, as that old Buckley column reminded me, of considerable length. The defendant was hardly the victim of a rush to judgment. So slowly, in fact, did the wheels of justice turn — despite overwhelming eye-witness evidence of Sirhan's having murdered Kennedy — that Buckley was brought to comment on "the almost infinite elongation between the time of murder and the execution of sentence."

"Isn't the whole thing approaching farce?" Buckley asked in 1969. Now, half a dozen years later, come Lowenstein and the conspiracy-flick promoters to complete that journey.

"Sirhan was not tried fairly," they argue. "Refire the gun to dispel all doubts." But refiring the gun would not, of course, dispel the doubts of those who will never be satisfied with "facts" that do not fit the ideological mold that shapes their world view. Or, in the case of the fastbuck flick operators, the size of their bank accounts.

(Mount Clipping in Space Below)

Sirhan Denied Retrial

SAN FRANCISCO (AP) — The California Supreme Court on Thursday turned down the petition of Sirhan B. Sirhan, convicted assassin of Sen. Robert F. Kennedy, to reopen the case and grant him a new trial.

The court's action came in a brief ruling which said it denied a petition for a writ of habeas corpus.

Sirhan's attorney, Godfrey Isaac, filed the petition Jan. 13 telling the court his client's guilt is in question because of new information which was not brought out at the original trial.

Sirhan is now serving a life sentence at San Quentin Prison.

The petition said that the prosecution knowingly suppressed ballistics evidence which tended to show that Kennedy was not killed by Sirhan's gun in June 1968 was "deliberately and knowingly suppressed by the prosecution."

It said that testimony of ballistics experts, if taken literally, showed that the bullet from the gun of Sirhan did not shoot or kill Kennedy.

The attorney also had claimed that the projectory of the shot that killed Kennedy indicated that Sirhan could not have fired the bullet.

In December Los Angeles Dist. Atty. Joe Busch rejected a request by former New York Rep. Allard Lowenstein and United Auto Workers official Paul Schrade to reopen the case.

Lowenstein had contended his personal analysis raised reasonable doubt about who the assassin was.

The petition said that five grooves were found in the bullet taken from Kennedy's body and the bullet possessed by Sirhan had six grooves.

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High Court Rejects Sirhan Plea

BY ROBERT KISTLER

Times Staff Writer

The state Supreme Court Thursday turned down without comment an attempt by Sirhan Bishara Sirhan to reopen investigation into the assassination of Sen. Robert F. Kennedy, for which Sirhan was convicted almost six years ago.

In denying two petitions filed by Beverly Hills attorney Godfrey Isaac, the high court effectively eliminated any chance for a new trial in state courts for Sirhan, now serving a life sentence at San Quentin Prison.

Isaac had maintained in his petition that Sirhan was wrongly convicted by false ballistic testimony and argued a "second gun" theory in which he urged the Supreme Court to order the firing of Sirhan's .22-caliber pistol in an effort to clear up questions that have arisen about the ballistics in the case.

In addition to filing a writ of habeas corpus for Sirhan's release, Isaac had filed a companion petition for error coram vobis, requesting the high court to consider evidence beyond the trial record.

Had the court approved the second petition, a hearing would have been ordered to determine whether Isaac's asserted "new evidence" was sufficient to order a new trial.

Isaac, in summarizing grounds for the petitions, had stated:

"Evidence that tended to show that Sen. Robert F. Kennedy was not killed by the bullet from Sirhan's gun was deliberately, intentionally and willingly suppressed by the prosecution and their agents."

The petitions asserted that outside ballistic experts had determined that the bullet taken from the senator's body substantially differs from one removed from William Weisel, an ABC-TV newsman, who also was shot in a pantry of the Ambassador.

In addition, Isaac had maintained that trial evidence which led to Sirhan's April 17, 1969, conviction of first-degree murder showed that there were five grooves on the bullet taken from Kennedy, but that bullets purchased by Sirhan had six grooves.

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ORIGINAL TO THE BUREAU

(Mount Clipping in Space Below)

Second-Gun Theory May Reopen Sirhan Case

By JOE McDONNELL

Herald Examiner Staff Writer

The conviction of Sirhan Bishara Sirhan as the lone assassin of Sen. Robert F. Kennedy may be reopened to consider what Sirhan's lawyer calls "deliberately suppressed" evidence.

The generally-accepted conclusion has been that Sirhan, and Sirhan alone, fired the volley of .22 caliber shots that mortally wounded the senator as he walked through the kitchen of the Ambassador Hotel the night of June 4, 1968, after appearing at a primary election victory party in the hotel's ballroom.

Most believe Sirhan was alone — police, Dist. Atty. Joseph P. Busch, a trial jury, the U.S. Supreme Court, and a vast majority of the public.

But since Sirhan's conviction in 1969, there has been a small group of people — experts and laymen — who are just as convinced that a second gun was fired that fatal night, and that somebody other than Sirhan pulled the trigger.

The Jordanian immigrant's lawyer, Godfrey Isaac of Beverly Hills, contends in a writ filed on behalf of Sirhan with the state's Supreme Court last week that this "second gun" may have been in the hands of a part-time security guard who was assigned to beef up security in the hotel kitchen.

Isaac's writ uses all the elements of the second-gun theory, citing ballistics studies made by independent criminalists that conclude that Sirhan couldn't possibly have fired the fatal shot.

Isaac is hoping that the court will order an evidentiary hearing which will weigh the evidence, ultimately leading to an overturn of his client's murder conviction.

While not involved in the writ as of now, the District Attorney's Office could be asked to supply an answer to Isaac's serious charges, and if it reaches the hearing stage, then the prosecutor would probably put on a fullblown defense of its investigation and trial procedure, according to court observers.

Isaac's espousing of the second-gun theory is closely tied to his charge that police and prosecutors "deliberately, intentionally, and knowingly suppressed" evidence that didn't fit in with their theory that Sirhan acted alone.

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ORIGINAL TO THE BUREAU

In his high court petition, Isaac said there are reasons to believe that the fatal bullet nine shots being fired that night, although may have been fired by Thane Eugene Cesar, Sirhan's pistol held only eight bullets.

who was moonlighting at the time for Ace Security Guard Service, supplementing his regular job at Lockheed Aircraft Corporation.

Isaac's reconstruction of the assassination scene puts Cesar behind Kennedy as the senator walked through the kitchen. The guard was close enough, Isaac contended, to suffer powder burns and admitted that he pulled his gun, but didn't fire his pistol when the shooting began.

But, Isaac continued, "for reasons known only to the Police Department, Cesar's gun was never examined to determine if it had been fired, nor did the prosecution call Cesar to testify before the grand jury or at the trial."

The lawyer said that Donald Schulman, an employe of television station KNXT, was nearby and shortly after the shooting told interviewers that he recalled seeing a uniformed guard firing his handgun.

Schulman never was called to testify either Isaac said, adding, "He was deliberately ignored by the police to avoid any conflict in their presupposed theory of one gunman."

As to the weapon Cesar admitted drawing instead of being a topic of a TV talk show or from his holster; some reports have said it was a .38 caliber pistol, and others have claimed that it was a .22 mounted on a frame. The only bullets ever recovered from victims or at the scene were .22s.

Isaac claimed in his court paper that the security guard owned a .22 cadet revolver that he sold to a man in Arkansas on Sept. 6, 1968, three months after the shooting. Shortly afterward, the gun was stolen and has never been recovered.

Cesar could not be reached for comment. He quit Lockheed in April of 1971 and Ace Security Guard Service said he hadn't worked there for two years and that his current address is unknown.

Turning to the question of ballistics, Isaac's petition argued that Sirhan could not have fired the fatal bullet.

That slug had five grooves, whereas Sirhan's bullets had six, the lawyer maintained. Moreover, he said, all of the shots that hit Kennedy were from back to front, right to left, and upward, and were fired from 6 inches away or less. Witnesses at the trial put Sirhan in front of Kennedy and never closer than several feet away, Isaac argued.

Isaac filed affidavits made by two criminologists, William W. Harper of Pasadena and Herbert L. MacDonnell, director of the Laboratory of Forensic Science in Corning, N.Y., to support his contention that two different guns were involved.

The two said that a bullet taken from Sen. Kennedy's neck was substantially different from the one removed from William Weiss, an ABC-TV newsman who also was shot at the scene.

And Isaac also raised the possibility of

"The police failed and refused to account for what appeared to be two bullet holes dis- covered in the center divider between the kitchen pantry doors," Isaac argued. "None of this evidence was ever presented at trial since it disproved the prosecution's case and it supports a conclusion of more than one gun being fired."

Isaac also cited testimony by Dr. Thomas Noguchi, Los Angeles County coroner, at a hearing held last May by Supervisor Baxter Ward.

The testimony concerned the number of grooves found in a bullet that was removed from Sen. Kennedy. These grooves are one identifying characteristic of a bullet and the gun that fired it. Noguchi said he counted five grooves in 1968 but in another inspection last April 19, he counted six, according to Isaac.

Dist. Atty. Busch, while remaining convinced that Sirhan acted alone, has pledged to cooperate fully with any new investigation ordered by the state's Supreme Court.

"Now the issue is before the proper forum One of the prosecutor's aides who scanned Isaac's petition said there was nothing new offered, nothing that would change the prosecution's mind.

Earlier, Busch had offered this comment on the case: "The two-gun theory is a fictitious theory, but we can't stop people from taking things out of context and making them inconsistent with the facts."

"There is no question in our minds that Sirhan was the murderer of Robert Kennedy and that he acted alone. I'm not going to let this kind of speculation be given credence. It's ghoulish to me."



Sirhan Sirhan: convicted assassin.



—This was Sirhan's gun. Was it one that killed Sen. Robert Kennedy?

(Mount Clipping in Space Below)

Act To Reopen Sirhan Case Slated

From Evening Outlook

Beverly Hills attorney Godfrey Isaac, who represents convicted assassin Sirhan B. Sirhan, said Tuesday he will file an action in the state Supreme Court next month to reopen the case of Robert Kennedy's murder.

At the same time, the attorney said he met Monday with his client at San Quentin Prison to discuss latest developments in the case. He conveyed a Christmas greeting of hope and appreciation.

"I am grateful for the interest being shown in my case," Sirhan said through his attorney. "If I had any consciousness of the events of June, 1968, it would not have taken this long to develop evidence pointing toward my innocence of killing Sen. Kennedy."

Isaac said he would file a writ of error coram nobis in the state Supreme Court next month in an effort to have the case reopened on the basis of new information and evidence not introduced during the original trial.

Last week, District Attorney Joseph Busch refused to independently reopen the investigation into the Kennedy assassination. Former New York Congressman Allard K. Lowenstein and former United Auto Workers West Coast Director Paul Schnade had urged a reopening of the case Dec. 15.

Busch, however, said any action on reopening the case should come from Sirhan's attorney.

(Indicate page, name of newspaper, city and state.)

Pg. 7 EVENING OUTLOOK
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Schrade, a supporter of Kennedy's presidential bid, was one of those wounded in an Ambassador Hotel pantry on the night of June 5, 1968, when the senator was assassinated.

Lowenstein said recent analysis of the investigation has shown there is now reasonable doubt on who the assassin of Sen. Kennedy was.

He called for a new look at five areas after subsequent evidence allegedly indicated that more than one gun was fired with a total of nine bullets being found, instead of the eight in Sirhan's weapon.

Busch disputed that claim last week, asserting that only one gun was fired and that by Sirhan, and that it involved only eight bullets.

The five areas of investigation suggested by Lowenstein were:

- A test firing on Sirhan's gun for bullet comparisons.

- A convening of an independent panel of ballistics experts to go over the evidence.

- Administering a neutron activation test on the bullets.

- Releasing or undertaking an official trajectory study to clarify if there were more bullet holes made during the shooting than could be explained.

- Releasing the 10-volume report of the official investigation by the team of Los Angeles police officers known as "Special Unit—Senator."

(Mount Clipping in Space Below)

You. Pair Shouted, 'We Killed Kennedy'

By United Press International

A retired Los Angeles police officer says he talked to a couple who heard two persons say they shot Robert F. Kennedy.

But his report was overlooked in the massive investigation of the shooting, the officer said.

Former Sgt. Paul Shrags told a Los Angeles radio station Sunday that he was the first police officer to arrive at the Ambassador Hotel where Kennedy was shot.

He said that as he walked toward the hotel, an older couple stopped him and told him that they had passed a young couple who were smiling and shouting. "We shot him...we killed Kennedy...we shot him...we killed him."

Shrags said the elderly couple described the pair as "in their early 20s" and said the woman was "wearing a polka-dot dress."

Shrags, who was a command post officer at the time, said he broadcast the description for about two hours, until a senior officer told him to discontinue it. According to Shrags, the officer said, "We've got our man...let's not make a federal case out of this."

The former cop said he filed official reports of the incident, but the reports disappeared. He said his reports were never investigated by authorities looking into the shooting and were not included in subsequent books written about the assassination.

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Sirhan B. Sirhan, a Jordanian, was apprehended at the scene of the murder and was convicted of shooting the senator in 1968. Sirhan is presently serving a life sentence for murder in San Quentin prison.

Investigators originally said ballistic tests of the murder weapon were insufficient.

Shraga's story was aired by the radio station Sunday, one week after former Rep. Allard Lowenstein in New York asked that the investigation be reopened.

Lowenstein asked the Los Angeles district attorney's office to reopen the investigation in light of what he said was new evidence that a second gun had been fired in the slaying.

Los Angeles District Attorney Joseph Busch replied, however, that there was no new ballistics information in Lowenstein's statement and that he did not plan to reopen the case.

(Mount Clipping in Space Below)

D.A. Says Sirhan Acted Alone

Evidence that Sirhan Sirhan acted alone in killing Robert F. Kennedy is "absolutely overwhelming," Dist. Atty. Joseph P. Busch said here.

Speculation about a conspiracy, extra bullets and a second gun is unfounded, Busch said at a news conference yesterday in which he disputed allegations made Sunday in New York by Allard K. Lowenstein, a former New York Democratic congressman, that Sirhan did not kill Kennedy.

"This case is absolutely overwhelming," Busch said. "It's not just to a reasonable doubt. I couldn't think of a stronger case."

Sirhan is serving a life sentence at San Quentin Prison for killing Kennedy on June 5, 1968, in the Ambassador Hotel here after the senator's victory speech in the California Democratic presidential primary.

Lowenstein said his conclusion after his own year-long study is that he does not believe the evidence sustains the theory that Sirhan is the murderer of Kennedy.

Busch said he saw nothing new in Lowenstein's allegations.

"The basic fact remains that a number of eye witnesses — at close range — saw Sirhan shoot Robert F. Kennedy and did not see anyone else fire a gun in the pantry of the Ambassador Hotel," Busch stated.

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7	
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ORIGINAL TO THE BUREAU

(Mount Clipping in Space Below)

Sirhan se Bid Rejected

A former New York congressman's demand that the Robert F. Kennedy assassination case be reopened was denied Monday by Los Angeles County Dist. Atty. Joseph P. Busch.

But Busch said he would not object to reopening the case if the convicted assassin, Sirhan B. Sirhan, requested it.

And Sirhan's attorney, Godfrey Isaac, said he would file a writ of error if he hopes it would lead to a new trial for his client.

Allard K. Lowenstein, a former liberal Democratic representative who has lost three bids for reelection, cited three reasons for reopening investigation of the 1968 shooting at the Ambassador.

—Evidence indicates at least nine bullets were fired during the assassination, and Sirhan's gun held only eight bullets.

—Evidence showed the gun to have been fired inches from Sen. Kennedy's head, and witnesses said Sirhan never got that close.

—Evidence showed the theory that Sirhan is the master of his own fate.

—Evidence showed the theory that Sirhan is the master of his own fate.

—Evidence showed the theory that Sirhan is the master of his own fate.

—Evidence showed the theory that Sirhan is the master of his own fate.

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ORIGINAL TO THE BUREAU

Ballistics indicated a television news producer wounded during the shooting was shot by a gun other than the one which killed Sen. Kennedy.

Busch said that Lowenstein's accusations had all been refuted during the exhaustive investigation after the shooting.

Sirhan, who is serving a life sentence at San Quentin, was captured at the assassination scene while he still held the pistol which killed Sen. Kennedy.

Lowenstein, long recognized as an independent-minded, liberal Democrat, gained notoriety in 1967 and 1968 when he promoted a "Dump Johnson" movement. He recruited former Sen. Eugene J. McCarthy to run against Johnson.

(Mount Clipping in Space Below)

A Strange and Ghoulish Inquiry

Los Angeles County Supervisor Baxter Ward is expected to seek the approval of the Board of Supervisors next week to widen the strange new inquiry he has opened into the 1968 assassination here of Robert F. Kennedy.

Ward isn't contending that the late senator's murderer, Sirhan B. Sirhan, is innocent of the crime for which he was convicted and for which he is serving a life sentence. Ward is doing his best, however, to encourage the numerous conspiracy theories that surround the election-night shooting at the Ambassador Hotel.

A basic thread linking most of these theories is that more than one gun may have been fired, and that more than one gunman may have participated in the slaying.

Ward probed for some evidence of that in the public hearing he conducted earlier this week in his dual role as supervisor and chairman of the County Coroner's Office.

Two criminologists, appearing on Ward's invitation, testified that bullets recovered from Kennedy and other wounded could not be identified as coming from the same weapon. They agreed, also, that the murder weapon, now in the custody of the California Supreme Court, should be refired to prove or disprove their conclusion and to lay at rest some of the major doubts surrounding the substance of ballistics testimony given at Sirhan's trial.

A refiring of the murder gun is possible, if the court agrees. It might settle some nagging doubts surrounding the trial evidence, and it might not.

Controversial ballistics testimony is no stranger to the assassination. The district attorney's office, the grand jury and the Los Angeles Police Department in 1971 all probed deeply into similar charges that ballistics procedures followed in the investigation and trial were faulty. The jury did criticize the county clerk's office for alleged slipshod handling of the murder weapon and the fatal bullets. But no one found evidence of a second gun or a second gunman.

Ward's ghoulish revival of the Kennedy assassination is gaining national attention, which he may think will help his campaign for the Democratic gubernatorial nomination. But any serious reopening of the inquiry belongs not before the Board of Supervisors, but in the courts, where the responsibility properly lies.

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Prob. Into RFK's Slaying Reopened

By United Press International

McDonnell, director of the Laboratory of Forensic Science in New York,

testified that the bullet removed from Kennedy by an appellate judge, a Los Angeles County supervisor Noguichi, and a bullet has reopened the "second removed from a newsman gun" investigation into the wounded by Sirhan, did possibility that it may not come from the same have been Sirhan B. Sirhan gun.

who killed Sen. Robert F. Kennedy. Markings Differ

The other bullet was removed from ABC newsman William Weisel, who Ward, a former television news anchorman, accused McDonnell said the

bullet removed from Kennedy had been fired by a pistol with only one rifling groove in the barrel, while the bullet that came out of

Weisel showed the marking of two grooves. Firearms expert Lowell Monday that there is, Bradford's testimony evidence that more than agreed with McDonnell.

He said the two bullets Kennedy was assassinated, and that the bullet coming from the same that entered Kennedy's gun.

The evidence that from the pistol held by another gun may have killed Sirhan.

Life Sentence

Sirhan is serving a life prison term for killing Kennedy in a kitchen passageway at the Ambassador Hotel on June 5, 1963.

District Attorney Joseph Busch, who rejected an invitation to appear at

Ward's hearing, blasted it as "ridiculous...unwise and unprecedented." The bullet from him, testified that "physical evidence" evidence "has been fully investigated and rejected" shows the fatal shot was fired at point-blank range, with the pistol muzzle only one to three inches from Kennedy's head.

Many witnesses to the shooting agree that Sirhan was nowhere near that close, firing from several feet or yards away.

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Sideshow

Associate Justice Lynn D. Compton of the state Court of Appeals, who prosecuted Sirhan as Busch's chief deputy, assailed Ward's hearing as "a sideshow performance involving persons whose motives appear to be other than to simply determine the truth."

The hearings, he said, are aimed at benefitting "persons who for political or personal reasons seek publicity and public exposure."

He said Ward "lacks any particular expertise" to hold such a hearing, the witnesses "are expressing privately held opinions," the evidence they rely on has been handled by many persons over the years, and the hearing will create suspicion and "delude the public."

(Mount Clipping in Space Below)

Question Raised Again on RFK Death Bullets

Los Angeles County Coroner Thomas T. Noguchi and two ballistic experts yesterday raised doubts over matching the bullets that killed Sen. Robert F. Kennedy to the gun wielded by Sirhan B. Sirhan, his convicted killer.

Noguchi, at a hearing called by County Supervisor Baxter Ward to look into the controversial two-gun theory concerning the June, 1968, assassination, said the fatal shots were fired at point-blank range and not from where witnesses placed Sirhan.

Two ballistics experts, Lowell Bradford and Herbert Macdonnell, said a bullet taken from Kennedy's back did not match one which hit a bystander.

Cites Evidence

The two experts said they could not establish that the bullets come from the same gun and urged that the weapon be re-fired to clear up the controversy.

Noguchi said he based his findings concerning the range of the fatal shots on "physical evidence" showing the death gun could not have been more than one to three inches from the Senator's head when it was fired.

Witnesses to the shooting at the Ambassador Hotel testified before a Grand Jury that Sirhan was standing several feet or yards away from Kennedy.

Busch Objects

Sirhan now is serving a life sentence for the slaying.

Dist. Atty. Joseph Busch has blasted Ward's inquiry as "ridiculous," objecting to reopening the case in which

Sirhan had already been convicted.

Busch said the so-called "two-gun" theory, the belief that two persons had been involved in the shooting, had been thoroughly investigated and had no validity.

Noguchi also testified that shortly after Kennedy's death, he had contacted Dr. Vincent P. Guinn, a neutron analyst, about checking the bullets in the shooting.

The coroner said the idea was dropped, however, after Wayne Wolfer, the Los Angeles Police Dept's ballistics expert, said the neutron analysis would damage the bullets as evidence.

Both Wolfer and Busch were invited to testify at Ward's hearing but did not appear.

(Indicate page, name of newspaper, city and state.)

p. 4B Valley News and
Green Sheet
Los Angeles, Calif.

Date: 5/14/74
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Editor: Mendenhall
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(Mount Clipping in Space Below)

WARD OPENS INQUIRY ON DEATH OF SEN. KENNEDY

The persistent question whether Sirhan Bishara Sirhan acted alone in the assassination of Sen. Robert F. Kennedy or whether an overlooked second gunman also was involved was reopened Monday by Los Angeles County Supervisor Baxter Ward.

In a three-hour public hearing, Ward, now running for the Democratic gubernatorial nomination, summoned eight scientific experts and county officials to testify on their remaining doubts about the quality of the investigation into Kennedy's 1968 murder.

Criminologist Herbert Leon MacDonnell, director of the Laboratory of Forensic Science in New York, testified that two bullets taken from the Ambassador pantry in the early hours of June 5, 1968, did not come from the same gun.

One bullet, marked with the initials of county Coroner Thomas T.

(Indicate page, name of newspaper, city and state.)

II-1 LOS ANGELES TIMES
LOS ANGELES, CA.

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Editor: William F. Thomas
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1 MAY 14 1974
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cc/B

Noguchi was taken from Dist. Atty. Joseph the body of Sen. Kennedy. Busch, who declined The other, marked with Ward's invitation to testify the initial of DeWayne at the hearing, declined Wolfer, head of the Los Angeles Police Department earlier he had criticized crime laboratory, the supervisor's proceeding came from the stomach of ing as an "improper for-ABC newsman William um."

Wiesel, since recovered. After the hearing, the

The bullets, MacDonnell district attorney's office testified, do not match deferred to Lynn (Buck) each other, either in their Compton for a response. manufacture or in the He was chief prosecutor in manner in which they the Sirhan case and is now were marked by passage an associate justice on the through a gun barrel. state Court of Appeal.

His testimony agreed Compton described with that of Lowell Brad-Monday's hearing as "a ford, a firearms identification expert from Camp-sideshow performance involving persons whose bell, Calif., who said he motives appear to be other also concluded that the than to simply determine two bullets could "not be the truth." identified as coming from the same gun."

Both men agreed that a refiring of Sirhan's .22-caliber weapon was the essential first step in laying the question to rest.

The testimony of both men was based on their examination of the findings of Pasadena criminologist William W. Harper, who for 35 years served as a forensic expert for both prosecution and defense in local trials.

Noguchi, testifying Monday, revealed that he began two days after Kennedy's assassination to explore the possibilities of neutron activation analysis of all bullets and bullet fragments taken from the pantry to insure that all lead particles could be identified as coming from the same weapon.

But later, Noguchi said, he sought the advice of Wolfer and was told not to subject the bullets to such a test, because analysis in an atomic reactor would change the chemical composition of the slugs.



RECALLING THE FINDINGS—Coroner Thomas T. Noguchi describing results of autopsy

Robert F. Kennedy. Listening is Supervisor Baxter Ward, who reopened inquiry into senator's death.
Times photo by Joe Kennedy

(Mount Clipping in Space Below)

WARD PROBER SUGGESTS 2 GUNMEN IN RFK DEATH

Full-scale reexamination of the weapon used to assassinate Sen. Robert F. Kennedy in June 1968, is necessary to finally dispel the possibility that more than one gun was involved, a group of criminalists has asserted.

The two-gun theory surrounding Kennedy's death at the Ambassador was aired yesterday at a public hearing chaired by Baxter Ward.

Ward's hearing was promptly criticized as a "sideshow performance" and the theory termed "incredible" by an appellate judge who was chief deputy district attorney during the assassination trial of Sirhan B. Sirhan, now serving a life sentence.

The two-gun theory, explained by criminalist Herbert MacDonnell from New York, holds that the fatal bullet lodged in Kennedy's neck was of a recent manufacture and shot at a radically different angle than that which hit a bystander.

Based on photos and exhibits from the trial, MacDonnell said, "I'm suggesting the bullets were not fired from the same gun."

Testimony at the loosely-structured hearing also involved alleged mishandling of the Sirhan evidence and the distance of the gun from the late senator at the time he was shot.

Former county clerk William G. Sharp was called in from retirement in San Clemente to answer charges his department allowed the public to see the evidence, thus diminishing the integrity of certain exhibits.

"Utterly silly," Sharp responded to the charges against him.

Ward said he would review the hearing transcript and make findings in a week.

But Associate Appellate Justice Lynn D. Compton urged the public to discount Ward's "amateurist and incredible effort" to raise the question of Kennedy's assassin at this point in history.

Compton said federal, state and local officials had joined in investigating the case, "aware that there would be persons who at some time in the future would come forth to criticize and second-guess our actions."

(Indicate page, name of newspaper, city and state.)

A-3 HERALD EXAMINER
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Herald-Examiner photo

DR. HERBERT MACDONELL
Backs two-gun theory

(Mount Clipping in Space Below)

Ward: Aides Sen. Kennedy Death Probe

By City News Service

Supervisor Baxter Ward Monday announced plans to hold his own hearing into the ballistics controversy surrounding the assassination of Robert F. Kennedy.

Ward — acting as chairman of the coroner's department — asked Chief Medical Examiner-Coroner Thomas T. Noguchi to prepare a presentation. The supervisor said he has booked the Board of Supervisors hearing room for a full day session May 6.

At that time, he said, an investigation will be launched into claims by "two nationally known criminalists that the three primary evidence bullets in the Senator Kennedy case do not match up."

"I do not know if these men are correct in their contentions," Ward said, "but their suggestions are sufficiently serious that some element of government in this county is obligated to grant them a hearing...."

Ward, a candidate for governor, had earlier urged his supervisorial colleagues to call for a district attorney's report on the matter. However, District Attorney Joseph Busch said he had no intention of reopening the case.

(Indicate page, name of newspaper, city and state.)

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New FK Probe Call By Ward

SACRAMENTO (AP) — Los Angeles County officials have conspired to prevent a new investigation of Sen. Robert F. Kennedy's assassination in 1968, Los Angeles County Supervisor Baxter Ward said Friday.

Ward, a Democratic candidate for governor, said he would appoint a state commission to reopen the assassination inquiry. Ward said there were "unanswered questions" about whether the fatal bullet came from Sirhan B. Sirhan's gun.

Ward, who last week charged that San Francisco Mayor Joseph Alioto has not cleared himself of alleged connections with the Mafia, said at a press conference that his newest allegation have nothing to do with his campaign for governor.

"It is something people want an answer to," said Ward, who as a Los Angeles county television newsman questioned the investigation of the Kennedy assassination almost daily for several months in 1970.

Someone is protecting a position or person. People in authority in Los Angeles County have conspired to prevent the re-examination," Ward said.

He said he believes Sirhan, who is serving a life sentence for the Kennedy assassination "is where he should be."

But, Ward said, "there's an angle of fire that seems haywire, a distance of firing that seems haywire, now the bullets."

He said some criminologists, including William Harper of Pasadena, believe the fatal bullet taken from Kennedy's body did not match a bullet test-fired from the gun taken from Sirhan.

(Indicate page, name of newspaper, city and state.)

B-12 HERALD EXAMINER
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your analysis is

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Ward again charged that two Alioto lawsuits have not proven Alioto—another Democratic candidate for governor—in-
nocent of charges of Mafia links. Ward unveiled the text of newspaper advertisements he said he will place in San Francisco newspapers offering a \$1,000 reward to anyone who can prove Alioto innocent.

Speaking of other major rivals for the Democratic nomination, Ward described Secretary of State Edmund G. Brown Jr. "a fraudulent hypocrite" and called Assembly Speaker Bob Moretti "a minor league Jess Larnak."

(Mount Clipping in Space Below)

Camp Contributions

Baxter, Los Angeles County supervisor, said in San Francisco that if he were elected governor he would appoint a commission to investigate physical evidence in the 1968 assassination of Sen. Robert F. Kennedy. Ward referred specifically to claims by some ballistics experts that a bullet taken from the senator's body, another which hit a spectator and a third fired from Sirhan's gun did not match. Ward, who was in San Francisco campaigning for the Democratic nomination for governor, said he would ask the Legislature to help form an investigatory commission composed of nationally recognized ballistics experts.

(Indicate page, name of newspaper, city and state.)

I-2 LOS ANGELES TIMES
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(Indicate page, name of newspaper, city and state.)

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(Mount Clipping in Space Below)

Kin o irhan Asks Cut in Jail Sentence

Palestinian citizen Sarif Bis-hara Sirhan, 40, has asked for a reduction in his six-month jail sentence imposed in federal court here for threatening to assassinate Israel Prime Minister Golda Meir.

Sirhan, brother of Sirhan Sirhan, is a gasoline station attendant. John Hornbeck, deputy public defender told U.S. District Court Judge Lawrence T. Lydick that Sirhan has established himself as a responsible person and should be given a shorter jail sentence.

(Indicate page, name of newspaper, city and state.)

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The Second Gun asks who killed RFK

By Tore Dahlin

Who killed Robert Kennedy? Up until this time, it has generally been thought that Sirhan Sirhan fired the fatal bullets. Sirhan did indeed try, but there was also another assassin who shot Kennedy directly from behind.

This startling conclusion is the theme of a new film documentary, "The Second Gun," which will make its public premier at UCSB before being released generally. Theodore Charach, the investigative reporter responsible for the new probe, has agreed to appear at UCSB to answer questions from the audience after each performance.

"The Second Gun" will be screened on May 25 and 26, Friday and Saturday, in Chem 1179 at 8 p.m. Tickets may be purchased at the door or the UCen Information Booth. Cost is \$1 for students and \$2 for non-students.

When Charach first began his investigation, he faced understandable skepticism from the media and outright scorn from the Los Angeles officials. Then a world-renowned criminologist, William W. Harper, was given access to the bullets, and he analyzed the ballistics. He not only independently corroborated Charach's conclusion, but established in a sworn affidavit that "two .22 caliber guns were involved in the assassination."

As the investigation progressed, a great interest was growing in Charach's work. It has been the subject of articles in the New York Times, Washington Post and Los Angeles Times.

For nearly five months, the Los Angeles District Attorney conducted what amounted to a full re-investigation of the assassination. A large number of serious discrepancies pointed out by Charach, Harper and others were labeled "clerical errors" by authorities, and what could not be explained as an error was actually dismissed without any explanation at all, only that "there is no significant discrepancy."

This situation prompted the production of "The Second Gun." The producers say their film "must not be construed as questioning Sirhan's obvious guilt, nor as an argument for the theory that a large conspiracy is engaged in gunning down the leadership of the United States." The film is intended to put the audience in an imaginary jury box to take notice of the ways in which the evidence was used, bungled and lost to prove that Sirhan was a lone-killer.

"The Second Gun" features interviews with California Attorney General Evelle J. Younger, Los Angeles D.A. Joseph P. Busch, Los Angeles Police Chief Edward M. Davis, L.A. County Coroner Thomas T. Noguchi who did the autopsy on Robert Kennedy, several key witnesses including star prosecution witness Karl Uecker, and a number of journalists critical of the official investigation.

Charach also investigates the man with a gun overlooked by police officials. At the time of the shooting, an armed security guard stood right next to Kennedy. A reliable witness interviewed in the film has sworn to police officials that on the night of the shooting he saw a security guard fire his gun immediately after Sirhan. It had always been his belief the guard was shooting at Sirhan.

(Indicate page, name of newspaper, city and state.)

Page 6 Daily Nexus
UCSB, Santa Barbara

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Author: Tore Dahlin

Editor: Mike Gordon

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(Mount Clipping in Space Below)

WRITER WOUNDED BY SIRHAN GETS \$1,000

Ira M. Goldstein, a news reporter wounded in the barrage of shots which killed Sen. Robert F. Kennedy June 5, 1968, Monday accepted a \$1,000 settlement in his civil suit against the Ambassador.

Goldstein, 23, of Encino was covering Kennedy's primary election victory party at the hotel for the Continental News Co.

when the shooting occurred. He was wounded in the left leg.

The hotel failed to provide necessary protection for Kennedy and those around him, Goldstein claimed in the suit which sought \$250,000 damages.

The settlement was agreed to before Superior Judge Benjamin Landis. Trial had been scheduled for Sept. 5.

(Indicate page, name of newspaper, city and state.)

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